

LAWS

OF THE

STATE OF DELAWARE

ONE HUNDRED AND FOURTEENTH
SESSION OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 7, A. D.
1947

AND

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED STATES
OF AMERICA, THE ONE HUNDRED AND SEVENTY-FIRST

VOLUME XLVI

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LAWS OF DELAWARE

CHAPTER 1

DOVER

**AN ACT TO AMEND AN ACT CHANGING THE NAME OF
"THE TOWN OF DOVER" TO "THE CITY OF DOVER"
AND ESTABLISHING A CHARTER THEREFOR, WITH
RESPECT TO HOURS OF VOTING.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met: (two-thirds
of all the Members elected to each House of the General Assembly
concurring therein).*

Section 1. That Chapter 158, Volume 36, Laws of Delaware, 1929, be and the same is hereby amended by striking out and repealing the second paragraph of Section 8 of said Chapter as the said paragraph appears at the top of page 453 of said Volume and enacting in lieu thereof a new second paragraph as follows:

The election shall be opened at one o'clock P. M., and closed at seven o'clock P. M.

Approved January 20, 1947.

CHAPTER 2

APPROPRIATION

ACQUISITION OF LANDS IN DOVER

**AN ACT MAKING AN ADDITIONAL APPROPRIATION TO
CARRY OUT THE PROVISIONS OF CHAPTER 294,
VOLUME 45, LAWS OF DELAWARE, 1945, PROVIDING
FOR THE ACQUISITION OF CERTAIN LANDS IN
DOVER.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That there is hereby appropriated to the State Building and Grounds Commission the sum of Five Thousand Dollars (\$5,000.00) as an additional amount necessary to carry out the provisions of Chapter 294, Volume 45, Laws of Delaware, 1945, providing for the acquisition of certain lands in Dover. The State Treasurer is hereby authorized and directed to pay such sum or portions thereof upon warrants of the said Commission signed by the Chairman or Vice-Chairman and attested by the Secretary or acting secretary of said Commission.

Section 2. No portion of the money appropriated as aforesaid shall be deemed or held to revert at the end of any fiscal year, but the said appropriation shall remain in force until the objects and purposes of this Act have been fully accomplished. Any part of the aforesaid sum of Five Thousand Dollars (\$5,000.00) remaining unexpended, at the time the work of the Commission has been concluded under the provisions of this Act, shall revert to the General Fund of the State of Delaware.

Section 3. This Act shall be known as a supplementary and a deficiency appropriation bill and funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved January 21, 1947.

CHAPTER 3

APPROPRIATION

SECRETARY OF STATE

AN ACT MAKING AN ADDITIONAL APPROPRIATION FOR THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR THE FISCAL YEAR ENDING ON THE 30TH DAY OF JUNE, A. D., 1947.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That there is hereby appropriated to the Secretary of State the sum of Five Thousand Dollars (\$5,000.00) for additional expenditures of his office during the fiscal year ending June 30, 1947, and made necessary by the increased volume of business handled by said office.

Section 2. This Act shall be known as a supplementary and a deficiency appropriation act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved January 23, 1947.

CHAPTER 4

PRINTING AND DISTRIBUTION OF PUBLIC LAWS

AN ACT TO AMEND CHAPTER 10 OF THE REVISED CODE OF DELAWARE, 1935, WITH REFERENCE TO THE PRINTING AND DISTRIBUTION OF PUBLIC LAWS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 10 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out and repealing all of 338. Sec. 2. thereof and enacting and inserting in lieu thereof a new 338. Sec. 2., as follows:

338. Sec. 2. Printing and Distribution of Public Laws:—The Secretary of State shall, as soon as practicable after the adjournment of the General Assembly, have Fifteen Hundred (1500) copies of all bills, resolutions, proclamations of the Governor, orders, and votes of a public nature, accurately printed, in volume form, and arranged in the discretion of said official, with an index thereto, to be prepared by him, and shall carefully preserve the originals in the State Archives. The printing of Session Laws shall be done under contract made by the Secretary of State, and in accordance with specifications furnished by said Secretary. The Secretary of State shall then have Eight Hundred (800) copies bound with a general index, and he shall distribute the same as follows: Fifty (50) copies to the Prothonotary of New Castle County, Twenty (20) copies to the Prothonotary of Kent County, and Twenty (20) copies to the Prothonotary of Sussex County; One (1) copy to the Executive, One (1) copy to each State Officer, One (1) copy to each County Officer of the respective Counties; One (1) copy to the Library of Congress, One (1) copy to the State Library of each of the United States, and the residue to the State Library of this State for the Librarian to distribute, who shall charge the respective Prothonotaries for each volume of the Session Laws a price equal to the actual cost to the State for printing the same. At the end of one year after the delivery of such copies to the respective Prothonotaries, they shall return all unsold copies, and shall be

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credited therefor the amount which they have been charged for same, and such returned copies shall be delivered to the State Librarian. The State Librarian shall also charge for such copies the actual price paid by the State for same. The copies delivered as herein provided to the Executive, and to the State and County Officers shall be kept and remain in their respective offices, and be by them delivered to their successors, as the property of said offices. The other Seven Hundred (700) copies of such bills, resolutions, proclamations of the Governor, orders, and votes of a public nature, so printed as aforesaid, shall be in pamphlet form with paper binding or covers and shall be sold by the State Librarian at a price equal to the actual price paid by the State.

All moneys realized from the sale of the Session Laws of the State of Delaware by the State Librarian, shall be paid to the State Treasurer for the use of the State.

Approved January 27, 1947.

CHAPTER 5

APPROPRIATION

SALARY INCREASE FOR CERTAIN STATE EMPLOYEES

AN ACT MAKING APPROPRIATIONS FOR THE PAYMENT OF TEMPORARY INCREASES IN THE SALARIES OF CERTAIN EMPLOYEES OF THE STATE FOR THE FISCAL YEARS ENDING JUNE 30, 1947, JUNE 30, 1948 AND JUNE 30, 1949, RESPECTIVELY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) for the fiscal year ending June 30, 1947, and the sum of Four Hundred Sixty Thousand Dollars (\$460,000.00) for the fiscal year ending June 30, 1948, and the sum of Four Hundred Sixty Thousand Dollars (\$460,000.00) for the fiscal year ending June 30, 1949. The amounts hereby appropriated for each of said years shall be paid by the State Treasurer for the purposes and in the manner as hereinafter set forth.

Section 2. The State Treasurer is hereby directed to pay out of the sums appropriated in Section 1 of this Act as a temporary addition to the basic salary of certain State employees covered by the provisions of this Act, (not to include, however, elected officials, attaches of the General Assembly nor any employees of the University of Delaware), an increase at the rate of Two Hundred Dollars (\$200.00) per annum, but not to exceed one-twelfth (1/12th) of said increase in any one month except that such salary increases may be paid to school teachers, members of the teaching staff at the State College for Colored Students, and employees of the State Board of Education, the Board of Public Education in the City of Wilmington, any Board of Education of a Special School District, any Board of School Trustees of school districts, or the State College for Colored Students, in ten (10) equal monthly payments in any fiscal year.

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Section 3. The Two Hundred Dollars (\$200.00) annual increase in basic salary herein provided shall be paid to all State employees qualifying for such payments who receive annual salaries within a range of Five Hundred Dollars (\$500.00) and more to Five Thousand Dollars (\$5,000.00) and less. No increase in basic salary granted in Section 2 hereof shall cause the sum of any basic salary to exceed a total annual payment of Five Thousand Dollars (\$5,000.00).

Section 4. The temporary salary increase herein provided shall be paid to all those persons qualifying for such increases who were State employees on the 31st day of December, A. D., 1946. The increased temporary salary herein provided shall become effective on the first day of the calendar month in which this bill is duly enacted by the General Assembly and approved by the Governor.

Section 5. In the event of the severance of employment by any employee covered by this Act who would have otherwise been eligible for the salary increase as provided by this Act, the employment of any other person in his place or stead shall, upon satisfactory proof of employment submitted to the State Treasurer, render such person eligible to the temporary salary increase herein provided, if the duties of such person are of the same nature and the position in which he is employed is regularly constituted by a department, board or other agency and/or required or authorized by law.

Section 6. The provisions of this Act shall be deemed to apply to all school employees of this State and/or any political subdivision of this State to whom any salary increase as provided in this Act would be applicable if said employee were paid entirely out of the moneys of this State.

Section 7. The temporary salary increase herein provided shall remain in effect until the end of the next biennium on June 30, 1949, for all State employees qualified for such increased payments except teachers in the public schools. As to such teachers the provisions of this bill shall remain in effect only to the end of the current fiscal year on June 30, 1947.

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Section 8. If any State employee receives a cash salary of less than Five Hundred Dollars (\$500.00) annually but also receives as a part of the remuneration for his services, board and lodging, such board and lodging shall be considered to be of a value of One Dollar (\$1.00) per day, and the value of such board and lodging shall be added to his basic cash salary for the purpose of determining the salary increase under the provisions hereof.

Section 9. The term "basic salary" as used in this Act shall be taken to include all salary payments made through the office of the State Treasurer from moneys derived from State revenue or from any other source (except such moneys as are appropriated by the United States Government) and in respect to which salary payments a board, commission, department, officers, or other agency of the State of Delaware exercises control and the amounts of which were included on a payroll for the month of December, 1946, for payment by the State Treasurer. Subject to the foregoing limitations, any compensation for personal services in the nature of emoluments, fees, honorariums, and the like, which is not ordinarily regarded as wages in the commonly accepted sense of the term, is to be considered as salary for the purpose of determining "basic salary" as hereinabove defined. If salary is payable or paid to any State employee by one or more agencies and/or political subdivisions of the State and/or by the Federal Government, or any agency thereof, and whether paid through the office of the State Treasurer or otherwise, and the total thereof equals or exceeds the sum of Five Thousand Dollars (\$5,000.00) per annum, such employees shall not be eligible to receive any temporary salary increase provided for by this Act.

Section 10. Every board, department, officer or other agency shall on or before the first day of the month following the month in which this Act becomes effective, submit to the State Auditor in such form as he shall prescribe a certified statement of all persons in its employ on December 31, 1946, if such persons are at present employed by said board, department, officer

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or other agency, and a list of persons so employed on December 31, 1946 who have since left such employment, and a list of positions existing but on said date vacant, and opposite each name and position certify to the rate of salary paid, both monthly and annually, from State moneys and from other sources, in separate columns.

For the purposes of this Act, any person employed to fill any vacancy in any permanent position as defined herein shall receive the temporary salary increase provided in this Act, and it shall be the duty of the State Auditor to enforce the provisions of this Act and to approve the amounts to be paid hereunder by the State Treasurer.

Section 11. Any moneys appropriated in this Act shall be used exclusively for the purpose of paying the temporary salary increases herein authorized, and shall not be transferred or used for the payment of any other salaries or expenses.

Section 12. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency only.

Section 13. That this bill shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 27, 1947.

CHAPTER 6

PRINTING NEEDS OF THE GENERAL ASSEMBLY

**AN ACT TO PROVIDE FOR THE PRINTING NEEDS OF THE
GENERAL ASSEMBLY OF THE STATE OF DELAWARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That after the adjournment of the 114th General Assembly, the printing needs of the Regular Session of the General Assembly of the State of Delaware shall be met by having such needs supplied and the necessary work performed under contract after advertisement for bids and the furnishing of specifications as hereinafter provided.

Section 2. On or before the first day of December in any year preceding the year when the General Assembly of the State of Delaware meets in Regular Session, as provided by the Constitution of the State, the Legislative Reference Bureau of Delaware shall advertise for bids for supplying the printing needs of the General Assembly and performing the necessary work in connection therewith. Such advertisement for bids shall be published in a paper or papers of general circulation throughout the State of Delaware. The said Bureau shall prepare or cause to be prepared specifications for such printing as shall be required during the next succeeding Regular Session of the General Assembly following the advertisement for bids, and such specifications shall include the printing of the calendars for the Senate and for the House of Representatives, the printing of Bills, printing of Rule Books, Roll Call Books and the various printed forms and supplies which are needed and used in the regular work of the General Assembly.

Section 3. The Legislative Reference Bureau of Delaware shall furnish the specifications herein provided to each prospective bidder from the State of Delaware who requests a copy of the same. All those interested in offering bids for performing the necessary printing and supplying the needs as set forth in the specifications furnished them as aforesaid shall present their

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bids in sealed envelopes to the Chairman of the Senate Committee on Printing and/or the Chairman of the Printing Committee of the House of Representatives, on the first day of the appointment of the respective committees in a Regular Session of the General Assembly of Delaware that convenes following the advertisement for bids as aforesaid.

Section 4. Upon receipt of such bids, which must be submitted in person by the bidder or by his, her or its agent, prior to three o'clock P. M. on the first day of the naming of the Printing Committee in either House, the Chairman of said Committee of the Senate and the Chairman of said Committee of the House of Representatives shall notify each member of his Printing Committee of the hour and place of a meeting of his full Committee in some part of the Legislative Building, in Dover, for the purpose of opening the bids so received by him as aforesaid.

Section 5. The Chairman of the Printing Committee of the Senate and the Chairman of the Printing Committee of the House shall open the bids received in the presence of his full Printing Committee or in the presence of such members of his Printing Committee as choose to attend after notice of the time and place of the said meeting.

Section 6. At such meeting, the respective Printing Committees shall recommend the award of the contract to the lowest responsible bidder who demonstrates his, her or its capacity to supply such printing needs as are set forth in the specifications furnished, or some part of them, for which he, she or it, has submitted a bid or bids, and to furnish the same as they are needed by the respective Houses of the General Assembly. The Chairmen of the respective Printing Committees shall as soon as practicable after the Committee meeting and action provided herein submit the recommendations of the Committee to the full Senate or the full House in session, as the case may be.

Section 7. Each bid submitted under the provisions hereof shall be accompanied by certified check guaranteeing the good faith of the bidder payable to the State Treasurer of the State of Delaware. The amount of said check shall be ten per cent (10%)

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of the total bid whenever such bid is for a lump sum of the total of the supplies for which the bid is made. Whenever the bid is on a per page basis, the total value of which is not presently determinable, the check shall be in the sum of Five Hundred Dollars (\$500.00). Such checks will be returned to the unsuccessful bidders immediately upon the rejection of their bids. Checks of successful bidders for all items of supplies listed except Calendars and Bills will be retained as a guarantee of performance of the contract and will be forfeited to The State of Delaware upon the successful bidder's failure to enter into a contract or to complete his contract. The check of the successful bidder for the Calendar and/or Bills will be returned to him upon his posting of a performance bond and his entry into a contract for such printing. If the successful bidder for the Calendar and/or Bills shall fail to enter into a contract or to post a performance bond as hereinafter required, his certified check shall be forfeited to the State of Delaware.

Section 8. The successful bidder for the Calendar shall give bond to The State of Delaware with good and sufficient surety or sureties to be approved by the respective Committees on Printing in the sum of Five Thousand Dollars (\$5,000.00). Said bond shall be conditioned for the faithful performance of the contract and a strict compliance with the specifications for such printing. Said bond shall have attached thereto a warrant of attorney for confession of judgment thereon, and judgment may be entered on said bond whenever said Committee shall deem it advisable.

Section 9. The successful bidder for the printing of Bills shall give bond to The State of Delaware with good and sufficient surety or sureties to be approved by the respective Committees on Printing in the sum of Two Hundred Dollars (\$200.00). Said bond shall be conditioned for the faithful performance of the contract and a strict compliance with the specifications for such printing. Said bond shall have attached thereto a warrant of attorney for confession of judgment thereon, and judgment may be entered on said bond whenever said Committee shall deem it advisable.

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Section 10. The submission of a bid on any set or sets of specifications together with a resolution of the Senate awarding the class or classes of printing covered by such bid to the person, firm or corporation submitting same and the posting of a performance bond, where one is required, shall constitute a contract.

Section 11. If any successful bidder to whom a contract has been awarded shall fail for any reason to perform his contract in an accurate and good and workmanlike manner and within the time specified, the respective Committees on Printing may by notice in writing to such successful bidder annul and cancel such contract; and such bidder whose contract is so cancelled shall have no right of action or claim for remuneration for work supplied which did not conform strictly to specifications. The respective Committees on Printing shall be the sole judge of whether or not work performed meets specifications.

Section 12. Should there be no bids received from responsible bidders and when the General Assembly convenes in Special Session, the printing needs of the Senate and of the House of Representatives shall be supplied as the respective Branches of the General Assembly shall direct.

Section 13. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency only.

Approved January 27, 1947.

CHAPTER 7

APPROPRIATION

FIRE COMPANIES

AN ACT APPROPRIATING MONEY TO CERTAIN FIRE COMPANIES IN THE STATE OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all Members elected to each House concurring therein):

Section 1. That to each and every Fire Company in the State of Delaware, outside the limits of the City of Wilmington, which was on the first day of June, A. D. 1946, and is now, duly organized and equipped for the fighting of fires, there is hereby appropriated the sum of One Thousand Dollars (\$1,000.00) annually for each of the fiscal years beginning July 1, 1947 and beginning July 1, 1948, to be used for the prevention and extinguishment of fires throughout the State and for the maintenance of apparatus and equipment.

The said sum of One Thousand Dollars (\$1,000.00) shall be paid by the State Treasurer to each of the said Fire Companies within three months after the beginning of each of said fiscal years.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury, not otherwise appropriated.

Approved January 28, 1947.

CHAPTER 8

APPROPRIATION

LAYTON HOME FOR AGED COLORED PEOPLE

AN ACT APPROPRIATING MONEY TO LAYTON HOME FOR AGED COLORED PEOPLE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the Members elected to each House thereof concurring therein):

Section 1. That the sum of Four Thousand Four Hundred Dollars (\$4,400.00) be and the same is hereby appropriated to the Layton Home for Aged Colored People for the care and maintenance of old age colored persons and for operation expenses for the biennium beginning July 1, 1947 and ending June 30, 1949.

Two Thousand Two Hundred Dollars (\$2,200.00) of said sum shall be paid within three months after July 1, 1947 and a like sum of Two Thousand Two Hundred Dollars (\$2,200.00) shall be paid within three months after July 1, 1948.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 28, 1947.

CHAPTER 9

APPROPRIATION

CHILDREN'S BEACH HOUSE

AN ACT TO PROVIDE FOR THE INSTRUCTION OF THE INMATES OF THE CHILDREN'S BEACH HOUSE, AND APPROPRIATING MONEY THEREFOR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. There is hereby appropriated for the fiscal year beginning July 1, 1947 and ending June 30, 1948, the sum of One Thousand One Hundred Twenty-five Dollars (\$1,125.00), and for the fiscal year beginning July 1, 1948 and ending June 30, 1949, the sum of One Thousand One Hundred Twenty-five Dollars (\$1,125.00), to the State Board of Education for the use of the Lewes Special School District. Said sums shall be used to provide and maintain instructional service for the inmates of the Children's Beach House.

The said sums shall be paid by the State Treasurer upon proper warrant or warrants signed by the officers of the State Board of Education.

Section 2. That this Act shall be known as a Supplementary Appropriation Act, and the money hereby appropriated shall be paid out of the General Fund of the State Treasury, not otherwise appropriated.

Approved January 28, 1947.

CHAPTER 10

APPROPRIATION

DELAWARE SOCIETY FOR THE PREVENTION OF
CRUELTY TO ANIMALS**AN ACT APPROPRIATING MONEY TO THE DELAWARE
SOCIETY FOR THE PREVENTION OF CRUELTY TO
ANIMALS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (three-fourths
of all Members elected to each House concurring therein):*

Section 1. That the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby appropriated to the Delaware Society for the Prevention of Cruelty to Animals, for the biennium beginning July 1, 1947 and ending June 30, 1949, for salaries, wages and for operation.

Five Hundred Dollars (\$500.00) of said sum shall be paid within three months after July 1, 1947, and a like sum of Five Hundred Dollars (\$500.00) shall be paid within three months after July 1, 1948.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 28, 1947.

CHAPTER 11

APPROPRIATION

PALMER HOME, INC.

AN ACT APPROPRIATING CERTAIN MONEY TO PALMER HOME, INCORPORATED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the Members elected to each House thereof concurring therein):

Section 1. That the sum of Seven Thousand Seven Hundred Dollars (\$7,700.00), be and the same is hereby appropriated to Palmer Home, Incorporated, a corporation of the State of Delaware, for the care and maintenance of old age persons at its Old Folk's Home at Dover, and for operation for the biennium beginning July 1, 1947 and ending June 30, 1949.

Three Thousand Eight Hundred and Fifty Dollars (\$3,850.00) of said sum shall be paid within three months after July 1, 1947 and a like sum of Three Thousand Eight Hundred and Fifty Dollars (\$3,850.00) shall be paid within three months after July 1, 1948.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 28, 1947.

CHAPTER 12

DELAWARE STATE HOSPITAL AT FARNHURST

AN ACT AUTHORIZING THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL TO EXPEND MONEY FROM THE SPECIAL ACCOUNT FUND OF THE DELAWARE STATE HOSPITAL FOR BUILDING PURPOSES.

WHEREAS, it has been found impossible to obtain the services of desirable officers and employees at the Delaware State Hospital without being able to offer them adequate housing facilities; and

WHEREAS, the State Board of Trustees of the Delaware State Hospital deems it necessary to be in a position to offer such facilities to desirable and prospective officers and employees, Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That notwithstanding the prohibition contained in paragraph 3081. Sec. 16 of Chapter 76 of the Revised Code of Delaware, 1935, the State Board of Trustees of the Delaware State Hospital is hereby authorized to expend the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00) out of the Special Account Fund of the Delaware State Hospital for the purpose of erecting seventeen (17) dwellings for the use of doctors and employees of the hospital.

Section 2. The erection of the housing units herein authorized shall be under the direction and control of the State Board of Trustees of the Delaware State Hospital at Farnhurst.

Approved January 29, 1947.

CHAPTER 13

APPROPRIATION

BURIAL OF INDIGENT SOLDIERS, SAILORS AND MARINES

AN ACT APPROPRIATING MONEY FOR THE BURIAL OF INDIGENT SOLDIERS, SAILORS AND MARINES.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That for each of the two fiscal years beginning July 1, 1947, and ending June 30, 1948, and beginning July 1, 1948, and ending June 30, 1949, the sum of Four Thousand Dollars (\$4,000.00) be and the same is hereby appropriated out of the General Funds of the State for the burial of indigent soldiers, sailors and marines of this State pursuant to Section 72, Chapter 8, of the Revised Code of Delaware 1935.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 29, 1947.

CHAPTER 14

APPROPRIATION

VETERANS OF FOREIGN WARS

**AN ACT APPROPRIATING MONEY TO THE VETERANS OF
FOREIGN WARS, DEPARTMENT OF DELAWARE.**

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the Members elected to each House concurring therein):

Section 1. That the sum of Three Thousand Dollars (\$3,000.00) be and the same is hereby appropriated to the Veterans of Foreign Wars, Department of Delaware, for operation expenses for the biennium beginning July 1, 1947 and ending June 30, 1949. Fifteen Hundred Dollars (\$1,500.00) of said sum shall be paid within three months after July 1, 1947 and a like sum of Fifteen Hundred Dollars (\$1,500.00) shall be paid within three months after July 1, 1948, to the duly elected Finance Officer of the Veterans of Foreign Wars, Department of Delaware, upon warrants signed by the said Finance Officer and approved by the Auditor of Accounts.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 29, 1947.

CHAPTER 15
APPROPRIATION
AMERICAN LEGION

**AN ACT APPROPRIATING MONEY TO THE AMERICAN
LEGION, DEPARTMENT OF DELAWARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (three-fourths
of all the Members elected to each House concurring therein):*

Section 1. That the sum of Four Thousand Dollars (\$4,000.00) be and the same is hereby appropriated to the American Legion, Department of Delaware, for operation expenses for the biennium beginning July 1, 1947 and ending June 30, 1949. Two Thousand Dollars (\$2,000.00) of said sum shall be paid within three months after July 1, 1947 and a like sum of Two Thousand Dollars (\$2,000.00) shall be paid within three months after July 1, 1948, to the duly elected Finance Officer of the American Legion, Department of Delaware, upon warrants signed by the said Finance Officer and approved by the Auditor of Accounts.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 29, 1947.

CHAPTER 16

APPROPRIATION

UNITED SPANISH WAR VETERANS

AN ACT APPROPRIATING MONEY TO THE UNITED SPANISH WAR VETERANS, DEPARTMENT OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the Members elected to each House concurring therein):

Section 1. That the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby appropriated to the United Spanish War Veterans, Department of Delaware, for the bien-nium beginning July 1, 1947 and ending June 30, 1949 for operation expenses. Five Hundred Dollars (\$500.00) of said sum shall be paid within three months after July 1, 1947 and a like sum of Five Hundred Dollars (\$500.00) shall be paid within three months after July 1, 1948, to the duly elected Finance Officer of the United Spanish War Veterans, Department of Delaware, upon warrants signed by the said Finance Officer and approved by the Auditor of Accounts.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 29, 1947.

CHAPTER 17

APPROPRIATION

BOARD OF MANAGERS OF THE DETENTION HOME

AN ACT APPROPRIATING MONEY TO THE "BOARD OF MANAGERS OF THE DETENTION HOME" FOR SALARIES AND WAGES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The sum of Five Thousand Five Hundred Dollars (\$5,500.00) be and the same is hereby appropriated to the "Board of Managers of the Detention Home" for juvenile delinquents, for salaries and wages.

The said sum of Five Thousand Five Hundred Dollars (\$5,500.00) shall be paid to the said "Board of Managers of the Detention Home", in two equal, annual installments of Two Thousand Seven Hundred and Fifty Dollars (\$2,750.00), for the years ending June 30, 1948 and June 30, 1949.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved January 30, 1947.

CHAPTER 18

APPROPRIATION

KENT AND SUSSEX COUNTY FAIR, INCORPORATED

AN ACT APPROPRIATING CERTAIN MONEYS TO KENT AND SUSSEX COUNTY FAIR, INCORPORATED, FOR PRIZES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the Members elected to each House concurring therein):

Section 1. That the sum of Seven Thousand Dollars (\$7,000.00) is hereby appropriated out of the Treasury of the State of Delaware to the "Kent and Sussex County Fair, Incorporated", a corporation of the State of Delaware, for the fiscal year beginning July 1, 1947 and ending June 30, 1948, and a like sum of Seven Thousand Dollars (\$7,000.00) for the fiscal year beginning July 1, 1948 and ending June 30, 1949. Said appropriation shall be used and expended only for prizes for meritorious achievements in agriculture, stock and poultry raising, and in works of manual training and the domestic arts. Such prizes shall be awarded by an Award Committee, which shall be appointed within ten days after this Act becomes effective, one member of which shall be named by the Governor from the personnel of the State Board of Agriculture, and the remaining members shall be named by the Kent and Sussex County Fair, Incorporated. Said corporation shall on or before the first day of December in each of said fiscal years, file with the State Auditor a sworn itemized statement showing the name of each person to whom a prize has been awarded, for what each prize was awarded and the amount of each prize, and showing also the grand total of said prizes, which statement shall be sworn to and signed before a Notary Public, by both the President and Treasurer of said corporation; when said statement shall have been audited by the State Auditor and found to be true and correct and according to law he shall authorize and direct the State Treasurer to pay to said corporation in each of said fiscal years the total sum shown to be due for prizes by said itemized

APPROPRIATION

KENT AND SUSSEX COUNTY FAIR, INCORPORATED

list; provided, however, said sum shall not exceed Seven Thousand Dollars (\$7,000.00) for each of said years and should said sum be less than the amount appropriated by this Act, then the unused balance shall each year remain in and revert to the State Treasury and shall in no case be paid to said corporation.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Funds of the State Treasury, not otherwise appropriated.

Approved January 30, 1947.

CHAPTER 19

GREAT SEAL OF DELAWARE

AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO PROCURE A NEW SEAL, TO BE USED AS THE GREAT SEAL OF THE STATE OF DELAWARE, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Secretary of State be, and he is hereby authorized to procure a new seal and press, to be used as the Great Seal of the State of Delaware, which said seal shall not exceed three inches in diameter, and shall be emblazoned as follows: Party per fess, or and argent, the first charged with a garb (wheat sheaf) in bend dexter; and an ear of maize (Indian corn) in bend sinister, both proper; the second charged with an ox stantant, ruminating, proper; fess, wavy azure-supporters on the dexter, a husbandman with a hilling hoe, on the sinister, a rifleman armed and accoutred, at ease. Crest, on a wreath azure and argent, a ship under full sail, proper; with the words "Great Seal of the State of Delaware", and also, the words "Liberty and Independence" engraved thereon.

Section 2. That when the said seal and press shall be so procured as aforesaid, the Secretary of State shall break and destroy, or cause to be broken and destroyed, the Seal now used as the Great Seal of the State of Delaware, and shall keep and use the new seal, by him procured as aforesaid, for all purposes for which the Great Seal of the State is now used.

Approved February 3, 1947.

CHAPTER 20

SEAL OF THE SECRETARY OF STATE

**AN ACT AUTHORIZING THE SECRETARY OF STATE TO
PROCURE A NEW PRESS AND SEAL OF OFFICE AND
TO MAKE PROVISION FOR THE CUSTODY AND USE
OF THE PRESENT SEAL.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the Secretary of State be and he is hereby authorized to procure for his office a new press and seal; said seal to be made of steel or brass, of the same diameter as the present seal and engraved with the same devices; and when completed, the said seal shall be taken, adjudged and deemed to be the seal of the Secretary of State, as provided by 362. Sec. 17. Chapter 11, of the Revised Code of Delaware, 1935.

Section 2. That when the said seal shall be so procured as aforesaid, the Secretary of State shall place the present seal of the Secretary of State in the custody of the Governor, said seal to be used in emergencies only with the knowledge and consent of the Governor of the State.

Approved February 3, 1947.

CHAPTER 21

APPROPRIATION

OBSERVANCE OF MEMORIAL DAY

**AN ACT APPROPRIATING MONEY FOR THE OBSERVANCE
OF MEMORIAL DAY IN HONOR OF THE DECEASED
MEMBERS OF THE GRAND ARMY OF THE REPUBLIC.**

WHEREAS, it has been the custom at each Regular Session of the General Assembly to appropriate funds to the G. A. R., Department of Delaware, for the proper observance of Memorial Day; and

WHEREAS, the Department of Delaware, Grand Army of the Republic, has passed out of existence and a new organization or group must be found to provide for the decoration of graves of Civil War Veterans and to otherwise arrange for the proper observance of Memorial Day in honor of such deceased veterans; and

WHEREAS, Appomattox Camp No. 2, Sons of Union Veterans of the Civil War, located in the State of Delaware, is willing to assume the responsibility for Memorial Day observances formerly arranged by the G. A. R., Department of Delaware, Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the Members elected to each House concurring therein):

Section 1. That the sum of Two Thousand Dollars (\$2,000.00) be and the same is hereby appropriated to Appomattox Camp No. 2, Sons of Union Veterans of the Civil War, for the biennium beginning July 1, 1947 and ending June 30, 1949. One Thousand Dollars (\$1,000.00) of said sum shall be available for the fiscal year ending June 30, 1948 and a like sum of One Thousand Dollars (\$1,000.00) shall be available during the fiscal year ending June 30, 1949. The State Treasurer is hereby authorized and directed to pay out of the funds so ap-

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OBSERVANCE OF MEMORIAL DAY

appropriated such sums as are listed on itemized vouchers duly signed and approved by the proper officials of Appomattox Camp No. 2, Sons of Union Veterans of the Civil War.

Section 2. The money hereby appropriated shall be used for the decoration of graves of deceased veterans of the Civil War, memorial exercises and observances planned in honor of such veterans, and for necessary expenses in connection with such decoration, exercises and observances.

Section 3. This Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved February 3, 1947.

CHAPTER 22

BOARD OF PILOT COMMISSIONERS

AN ACT TO AMEND CHAPTER 35 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED, "BOARD OF PILOT COMMISSIONERS", BY INCREASING THE RATE FOR THE PILOTAGE OF VESSELS DRAWING OVER TWELVE FEET OF WATER.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1083. Sec. 19. of Chapter 35, Revised Code of Delaware, 1935, be amended by striking out all of said section and enacting in lieu thereof a new section 1083. Sec. 19., as follows, to-wit:

1083. Sec. 19. **Pilotage Rates:**—The rates of pilotage for conducting a vessel from the Capes of the Delaware to the City of Philadelphia or other place on the River Delaware, and from the City of Philadelphia or other place on the River Delaware, to the Capes of the Delaware, in either case shall be for every half foot of water which a vessel shall draw under, up to and including twelve feet, the sum of two dollars per half foot and for every vessel drawing over twelve feet, the sum of three dollars per half foot of water. A deduction of ten per centum from the said rates shall be made when an inward-bound vessel is first spoken by the pilot inside of a straight line drawn from Cape Henlopen Light to Cape May Light. Every such vessel bound to the Breakwater for orders shall pay pilotage fees as follows: a sum equal to one-half of the inward rates of pilotage to the Port of Philadelphia, and the same fees when outward bound from the Breakwater.

Approved February 4, 1947.

CHAPTER 23

APPROPRIATION

PENSIONS FOR RETIRED AND DISABLED TEACHERS

AN ACT MAKING AN APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR USE IN PAYMENT OF PENSIONS TO RETIRED AND DISABLED PUBLIC SCHOOL TEACHERS OF DELAWARE.

WHEREAS, the State Board of Education is required by law to pay pensions or allowances to the retired and disabled teachers who have taught in the public schools within the State of Delaware; and

WHEREAS, in order to pay pensions or allowances for the remainder of the present fiscal year ending June 30, 1947, to the retired and disabled teachers who have taught in the public schools within the State of Delaware, the State Board of Education needs additional funds, Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other moneys appropriated to the State Board of Education for the fiscal year ending June 30, 1947, there is hereby appropriated to the said State Board of Education the further stated sum of Sixteen Thousand Four Hundred and Sixty Dollars (\$16,460.00) as a deficiency and emergency appropriation for the use of said State Board of Education in paying pensions or allowances to retired and disabled teachers who have taught in public schools within the State of Delaware.

That the said sum shall be paid to the said State Board of Education on the approval of this Act for its use during the remainder of the fiscal year ending June 30, 1947.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 4, 1947.

CHAPTER 24

APPROPRIATION

EDUCATION AND TRAINING OF CHILDREN OF VETERANS

AN ACT APPROPRIATING MONIES FOR EDUCATION AND TRAINING OF CHILDREN OF VETERANS OF WORLD WAR I AND WORLD WAR II WHO DIED WHILE IN THE SERVICE OF THE ARMY, NAVY, MARINE CORPS OR COAST GUARD OF THE UNITED STATES OR WHO DIED FROM DISEASE, WOUNDS OR DISABILITIES RESULTING FROM SUCH SERVICE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The sum of Six Thousand Dollars (\$6,000.00) be and the same hereby is appropriated for the use and benefit of the children, as hereinafter defined, of members of the personnel, male and female, who have served, or are now serving, or who may hereafter serve in any branch of the Army, Navy, Marine Corps or Coast Guard of the United States of America and who were killed, or who may hereafter be killed, while in such service, and/or who may have died or may hereafter die from disease, wounds or disabilities arising, and/or resulting from such service, either in World I or World War II, for the biennium beginning July 1, 1947 and ending June 30, 1949. Three Thousand Dollars (\$3,000.00) of said sum is hereby appropriated for the year beginning July 1, 1947 and ending June 30, 1948, and Three Thousand Dollars (\$3,000.00) of said sum is hereby appropriated for the year beginning July 1, 1948 and ending June 30, 1949.

Section 2. The word "children" referred to in Section 1 of this Act is further defined as those children who are not under sixteen (16) years of age or over twenty-one (21) years of age and who have been domiciled in the State of Delaware for twelve (12) or more consecutive months prior to the application for assistance under this Act, and who are attending or may hereafter attend any educational or training institution in the State of Delaware, provided, however, that any child having entered upon a course of training or education, under the provisions of

APPROPRIATION

EDUCATION AND TRAINING OF CHILDREN OF VETERANS

this Act, consisting of a course of not more than four years, and arriving at the age of twenty-one (21) years before the completion of said course, may continue in said course and receive all the benefits of the provisions of this Act until said course is completed.

Section 3. The money appropriated by this Act shall be used for the purpose of providing and paying any tuition, matriculation fees, board and room rent, books and school supplies, and other incidental items in connection with the education and/or training of such children in a sum not to exceed Two Hundred and Fifty Dollars (\$250.00) for any one child for any one year.

Section 4. That the amounts that may be due or become due to any such educational or training institution, not in excess of the amount specified in Section 3 hereof shall be payable to said institution as herein mentioned from the funds hereby created on vouchers approved by the Director of the State Board for Vocational Education. And it is hereby made the duty of said Director to ascertain and pass on the eligibility of the children who may make application for the benefits provided in this Act; to satisfy himself of the attendance of such children at any such institution as is herein specified, and of the accuracy of the charge or charges submitted to said Director by the authorities of any such institution, on account of the attendance thereof of any such children as is herein provided for; provided that the necessary expenses incidental to the administration of the provisions of this Act shall be paid by the State Treasurer upon proper vouchers signed by the State Auditor, but said expenses shall not exceed the sum of Two Hundred and Fifty Dollars (\$250.00) in any one year, and further provided that said incidental expenses so appropriated shall be in addition to the moneys appropriated in Section 1 of this Act.

Section 5. This Act shall be known as a Supplementary Appropriation Act and the moneys hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 4, 1947.

CHAPTER 25

GAME

PROVIDING FOR REMOVAL OF DUCK BLINDS IN CERTAIN
BAYS AND TRIBUTARIES

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO FISH, OYSTERS AND GAME, BY THE REPEAL OF 2820A. SECTION 19A. THEREOF, PROVIDING FOR LICENSING AND REGULATIONS OF DUCK BLINDS IN THE WATERS OF REHOBOTH BAY, INDIAN RIVER AND BAY, ASSAWOMAN BAY, AND THE TRIBUTARIES THEREOF AS THE SAME APPEAR IN CHAPTER 205, VOLUME 45, LAWS OF DELAWARE; PROVIDING FOR REMOVAL OF ALL STAKE, BRUSH OR BOOBY BLINDS IN SAID WATERS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74, of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of 2820A. Section 19A. thereof, as the same appears in Chapter 205, Volume 45, Laws of Delaware.

Section 2. On and after the approval of this Act, the Board of Game and Fish Commissioners shall cause notice to be sent to the owner, lessee or licensee of land bordering the Rehoboth Bay, Indian River and Bay, Assawoman Bay and the tributaries thereof, who have erected, constructed or maintained stake, brush or booby blinds in the said waters in front of the property which they own, lease or license to remove said stake, brush or booby blinds from said waters on or before the first day of June, A. D. 1947.

Section 3. Any owner, lessee or licensee failing to remove the stake, brush or booby blinds on or before the first day of June, A. D. 1947, after notice from the Board of Game and Fish Commissioners shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than One Hundred Dollars (\$100.00) nor more than Two Hundred and Fifty Dollars (\$250.00) in the discretion of the Court.

Approved February 11, 1947.

CHAPTER 26

DELAWARE WORKMEN'S COMPENSATION LAW

SECOND INJURY FUND

AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "DELAWARE WORKMEN'S COMPENSATION LAW", IN RELATION TO TIME OF PAYMENTS OF PERCENTUM ON ALL WORKMEN'S COMPENSATION OR EMPLOYER LIABILITY PREMIUMS TO THE BOARD.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 6080. Section 10, Subsection (e) of Chapter 175 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out and repealing all of the second paragraph of said Subsection (e) and substituting in lieu thereof a new paragraph as follows:

Every insurance carrier insuring employers who are or may be liable under this Chapter to pay for compensation for personal injuries to or death of their employees under the provisions of this Chapter shall pay annually, on or before March 1st of each year, to the Industrial Accident Board for the State of Delaware a sum equal to one-half ($\frac{1}{2}$) of one percentum (1%) on all Workmen's Compensation or Employer Liability premiums received by the carrier during the calendar year next preceding the due date of such payment. Every employer carrying his own risk and thereby insuring himself under the provisions of this Chapter, on or before January 30th of each year, shall pay to the Industrial Accident Board for the State of Delaware, a sum equal to one-half ($\frac{1}{2}$) of one percentum (1%) of the premium which said employer would have had to pay for the preceding year for Workmen's Compensation or Employer Liability insurance, said premium being in accordance with classifications and premium rates approved by the Board for the purpose of fixing compensation and insurance rates. Such sums shall be paid by the Industrial Accident Board to the State Treasurer, to be deposited

DELAWARE WORKMEN'S COMPENSATION LAW

SECOND INJURY FUND

in a special account known as "Industrial Accident Board Second Injury Fund", and which said funds shall not be a part of the General Fund of the State of Delaware, and any balance remaining in said account at the end of any fiscal year shall not revert to the General Fund. Any carrier or employer who is a self-insurer who shall make payments to an employee for total disability under the provisions of this Subsection upon an award being made for the same by the Board, shall be entitled to reimbursement for said payments from the "Industrial Accident Board Second Injury Fund" herein created; provided, however, that these reimbursements to such carrier and employer carrying his own risk and thereby insuring himself shall be made upon a semi-annual basis, that is to say, on the Fifteenth (15th) Day of January and July of each year. The reimbursements shall be made upon warrants, on the Treasurer of the State of Delaware, signed by the Secretary of the Industrial Accident Board.

Approved February 11, 1947.

CHAPTER 27

DELAWARE WORKMEN'S COMPENSATION LAW

RESPECTING MEDICAL AND SURGICAL CARE

AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "DELAWARE WORKMEN'S COMPENSATION LAW", BY EXTENDING THE PROVISIONS FOR PAYMENTS THEREUNDER, IN RELATION TO SURGICAL, MEDICAL AND HOSPITAL SERVICES AND SUPPLIES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 6078. Sec. 8. of Chapter 175 of the Revised Code of Delaware, 1935, be amended by striking out and repealing all of subsection (b) thereof and enacting and substituting in lieu thereof a new subsection (b) as follows:

(b) During the first thirty (30) days of the injury the employer shall furnish reasonable surgical, medical, and hospital services, medicine, and supplies, as and when needed, unless the employee refuses to allow them to be furnished by the employer. The costs of such services, medicines, and supplies shall not exceed the regular costs for such services, medicines and supplies, and in case of controversy the costs shall be subject to the approval of the Industrial Accident Board. If the employer shall, upon application made to him, refuse to furnish reasonable surgical, medical, and hospital services, medicines, and supplies, the employee may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations.

Approved February 11, 1947.

CHAPTER 28

DELAWARE WORKMEN'S COMPENSATION LAW

WAGE OF VOLUNTEER FIREMEN

AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "DELAWARE WORKMEN'S COMPENSATION LAW", BY FIXING THE WAGE OF VOLUNTEER FIREMEN ON WHICH COMPENSATION IS BASED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 6118. Sec. 48 of Chapter 175 of the Revised Code of Delaware, 1935, as amended, be amended by adding thereto a new sentence at the end of the last paragraph thereof as the same appears in Volume 44, Laws of Delaware, 1943, as follows:

The wage of Volunteer Firemen on which compensation is based shall be the wage received in the regular employment of such firemen.

Approved February 11, 1947.

CHAPTER 29

DELAWARE WORKMEN'S COMPENSATION LAW

EXTENDING PROVISIONS FOR PAYMENTS

AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "DELAWARE WORKMEN'S COMPENSATION LAW", BY EXTENDING THE PROVISIONS FOR PAYMENTS THEREUNDER DURING THE CONTINUANCE OF TOTAL DISABILITY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 6080. Sec. 10. of Chapter 175 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out and repealing all of the first paragraph thereof and by substituting in lieu of the part so stricken out the following new first paragraph, as follows:

6080. Sec. 10. Total Disabilities, Compensation for; Schedules for Partial Disabilities; Schedules for; Death; Compensation to Dependents:—The following schedule of compensation is hereby established for injuries resulting in total disability:

(a) During the continuance of total disability, sixty per centum (60%) of the wages of the injured employee as defined by this Chapter; but the compensation shall not be more than Twenty-One Dollars (\$21.00) per week nor less than Eight Dollars (\$8.00) per week; provided that if at the time of injury the employee receives wages of less than Eight Dollars (\$8.00) per week, then he shall receive the full amount of such wages per week as compensation. Nothing in this sub-section (a) shall require the payment of compensation after disability shall cease.

Approved February 11, 1947.

CHAPTER 30

DELAWARE WORKMEN'S COMPENSATION LAW

SECOND INJURY FUND

AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "DELAWARE WORKMEN'S COMPENSATION LAW", BY EXTENDING THE PROVISIONS FOR PAYMENTS THEREUNDER DURING THE CONTINUANCE OF TOTAL DISABILITY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 6080. Sec. 10. Subsection (e) of Chapter 175 of the Revised Code of Delaware, 1935, be further amended by striking out and repealing all of the first paragraph of said subsection (e) and substituting in lieu thereof a new paragraph, as follows:

6080. Sec. 10. (e) Whenever a subsequent permanent injury occurs to an employee who has previously sustained a permanent injury, from any cause, whether in line of employment or otherwise, the employer for whom such injured employee was working at the time of such subsequent injury, shall be required to pay only that amount of compensation as would be due for such subsequent injury without regard to the effect of the prior injury. Provided, however, that whenever such subsequent permanent injury in connection with a previous permanent injury results in total disability as defined in subsection (c) of this section, the employee shall be paid compensation for such total disability, as provided in subsection (a) of this Section, during the continuance of total disability; such compensation to be paid out of a special fund known as "Industrial Accident Board Second Injury Fund" and created for such purpose in the following manner:

Approved February 11, 1947.

CHAPTER 31

DELAWARE HARNESS RACING COMMISSION

RESPECTING PARI MUTUEL AND TOTALIZATOR POOLS

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT TO PROVIDE FOR THE REGULATION, CONTROL AND LICENSING OF HARNESS RACING IN THE STATE OF DELAWARE", BEING CHAPTER 303, VOLUME 45, LAWS OF DELAWARE, 1944-45, RELATING TO COMMISSIONS ON PARI MUTUEL OR TOTALIZATOR POOLS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 15 of Chapter 303, Volume 45, Laws of Delaware, 1944-45, be amended by striking out and repealing all of the eighth paragraph thereof as the same appears on Pages 1148 and 1149 of Volume 45, Laws of Delaware, 1944-45, and substituting in lieu thereof a new paragraph as follows:

The Delaware Harness Racing Commission shall authorize commissions on pari mutuel or totalizator pools to the person, association or corporation operating a harness race meeting, which said commissions shall be a sum equal to ten and one-half percent (10½%) of the total contributions to all pari mutuel and totalizator pools conducted or made at said harness race meeting, and every harness race at said meeting, plus the odd cents of all re-distributions to be made on all pari mutuel or totalizator pool contributions exceeding the sum equal to the next lowest multiple of five, such odd cents to be calculated upon the basis of each dollar wagered.

Approved February 11, 1947.

CHAPTER 32
APPROPRIATION
HOSPITALS

AN ACT APPROPRIATING MONEYS TO CERTAIN HOSPITALS IN THE STATE OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of the members of each House concurring therein):

Section 1. There is hereby appropriated for the maintenance, equipment and operation of the hospitals hereinafter mentioned for each of the fiscal years beginning July 1, 1947 and July 1, 1948 the sums of money set after the names of such hospitals, respectively, viz:

| | |
|---|---------------------|
| To Kent General Hospital at Dover | \$ 14,100.00 |
| To Milford Memorial Hospital, Inc., at Milford | 24,750.00 |
| To Beebe Hospital of Sussex County, Inc., at Lewes..... | 24,750.00 |
| To Homeopathic Hospital Association of Delaware, at Wilmington | 51,975.00 |
| To St. Francis Hospital, Incorporated, at Wilmington.. | 25,740.00 |
| To The Delaware Hospital, Inc., at Wilmington..... | 90,000.00 |
| To Wilmington General Hospital Association, at Wilmington | 42,075.00 |
| Total..... | <u>\$273,390.00</u> |

Each of said appropriations shall be paid to said respective hospitals in equal quarterly installments on the first days of July, October, January and April in each of the fiscal years 1947 and 1948.

Section 2. This Act shall be known as a Supplementary Appropriation Act, and the funds hereby appropriated shall be paid from the general funds of the State Treasury not otherwise appropriated, in accordance with the provisions of this Act.

Approved February 14, 1947.

CHAPTER 33

APPROPRIATION

DISTRICT LIBRARY COMMISSIONS

**AN ACT APPROPRIATING CERTAIN MONIES FOR THE
SUPPORT AND MAINTENANCE OF THE DISTRICT
LIBRARY COMMISSIONS OF THE STATE OF DELA-
WARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That for each of the two fiscal years beginning July 1, 1947, and ending June 30, 1948, and beginning July 1, 1948, and ending June 30, 1949, the sum of Five Thousand Seven Hundred and Fifty Dollars (\$5,750.00) be and the same is hereby appropriated out of the General Funds of the State for the support and maintenance of the District Library Commissions of this State, pursuant to the provisions of Chapter 34 of the Revised Code of Delaware, 1935.

| | Year Ending June 30, | |
|--------------------------------|----------------------|----------|
| | 1948 | 1949 |
| DISTRICT LIBRARY COMMISSION: | | |
| Dover Free Library | \$500.00 | \$500.00 |
| Seaford Free Library | 500.00 | 500.00 |
| Milford Free Library | 500.00 | 500.00 |
| Milton Free Library | 200.00 | 200.00 |
| Frankford Free Library | 150.00 | 150.00 |
| Lewes Free Library | 150.00 | 150.00 |
| Newark Free Library | 500.00 | 500.00 |
| Laurel Free Library | 200.00 | 200.00 |
| Selbyville Free Library | 100.00 | 100.00 |
| Smyrna Free Library | 300.00 | 300.00 |
| Bridgeville Free Library | 150.00 | 150.00 |
| Odessa Free Library | 300.00 | 300.00 |
| Delmar Free Library | 200.00 | 200.00 |
| Rehoboth Free Library | 200.00 | 200.00 |
| New Castle Free Library | 500.00 | 500.00 |
| Claymont Free Library | 500.00 | 500.00 |

APPROPRIATION

DISTRICT LIBRARY COMMISSIONS

| | | |
|---|------------|------------|
| Middletown Free Library | 500.00 | 500.00 |
| Georgetown Free Library | 150.00 | 150.00 |
| Harrington Free Library | 150.00 | 150.00 |
| <hr/> | | <hr/> |
| Total District Library Commissions..... | \$5,750.00 | \$5,750.00 |

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved February 14, 1947.

CHAPTER 34

EMERGENCY AND DEFICIENCY APPROPRIATION

STATE BOARD OF WELFARE

AN ACT MAKING AN APPROPRIATION TO THE STATE BOARD OF WELFARE FOR CERTAIN EMERGENCIES AND CONDITIONS.

WHEREAS, The State Board of Welfare is required by law to establish and maintain foster homes and to carry out a Child Welfare Service in the State of Delaware; and

WHEREAS, in order to maintain foster homes for the present case load of children, the State Board of Welfare had to increase their board rate; and

WHEREAS, there has been an increased cost of clothing, medical and dental services for the present case load of children, cared for by the State Board of Welfare, Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other moneys appropriated to the State Board of Welfare for the fiscal year ending June 30, 1947, there is hereby appropriated to the said State Board of Welfare the stated sum of Twenty-nine Thousand Dollars (\$29,000.00) as a deficiency and emergency appropriation for general use of the said board in carrying out the work and duties in respect to its child welfare services and foster home placement program of the present case load of children.

That the said sum is to be made available and paid to the said State Board of Welfare on or before March 31, 1947.

Section 2. This Act is to be known as a Supplementary Appropriation Act, and funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 14, 1947.

CHAPTER 35

APPROPRIATION

CONTROL OF DISEASES OF HOGS IN SUSSEX COUNTY

AN ACT AUTHORIZING THE LEVY COURT OF SUSSEX COUNTY TO APPROPRIATE COUNTY MONIES FOR THE CONTROL OF DISEASES OF HOGS IN SUSSEX COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Court of Sussex County be and it is hereby authorized and directed to appropriate a sum not exceeding Three Thousand Dollars (\$3,000.00), for each of the fiscal years beginning July 1, 1947 and ending June 30, 1948, and beginning July 1, 1948 and ending June 30, 1949, to be used and expended for the control of diseases of hogs in Sussex County by the introduction, maintenance and advancement of the latest and most approved method for control and cure of diseases of hogs.

If, for the furtherance of this purpose, the hogs of any owner who is a resident of Sussex County shall require vaccination, inoculation or other similar treatment, the vaccine or other medicament or material may be furnished free of charge to such owner. Provided, however, that no free vaccine or other medicament or material shall be furnished under the provisions of this Act, if such owner has received under the provisions hereof or under the provisions of any other State law or appropriation free vaccine, medicament or material for the treatment of 25 hogs in any one year.

Section 2. In all cases where such treatment of hog diseases is necessary the owner or owners shall pay the expenses of a Veterinarian or other person employed to administer such treatment.

Section 3. The Levy Court of Sussex County is hereby authorized to consult and obtain the assistance and advice of the State Board of Agriculture and any licensed Veterinarian in Sussex County in carrying out the provisions of this Act.

Approved February 14, 1947.

CHAPTER 36

APPROPRIATION

PENSION FUND FOR DISABLED SCHOOL TEACHERS

AN ACT APPROPRIATING CERTAIN MONEYS TO PROVIDE A PENSION FUND FOR RETIRED AND DISABLED PUBLIC SCHOOL TEACHERS OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated for each of the fiscal years in the biennium beginning July 1, 1947, and ending June 30, 1949, the sum of Fifty-five Thousand Six Hundred and Eighty Dollars (\$55,680.00) to create a fund for the purpose of paying pensions or allowances to retired and disabled teachers who have taught in public schools within the State of Delaware.

Section 2. The funds hereby appropriated shall be expended in accordance with the provisions of Chapter 106, Volume 45, Laws of Delaware, 1945, except that after the first day of July A. D. 1947, the monthly payments made to individuals who qualify for such pensions or allowances as are provided in said Chapter 106 shall be Forty Dollars (\$40.00) instead of Thirty Dollars (\$30.00).

Section 3. This Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 14, 1947.

CHAPTER 37

DEFICIENCY APPROPRIATION

STATE BOARD OF WELFARE

AN ACT MAKING AN APPROPRIATION TO THE STATE BOARD OF WELFARE FOR CERTAIN EMERGENCIES AND CONDITIONS, IN RELATION TO AID TO DEPENDENT CHILDREN.

WHEREAS, the State Board of Welfare is required by law to administer assistance to dependent children, such assistance to be granted to any eligible dependent child in such sum as to provide such child with a reasonable subsistence compatible to decency and health; and

WHEREAS, there has been a substantial increase in costs of living which has made it necessary for the Board to increase the size of the grants in order to provide a reasonable subsistence compatible to decency and health for the present case load of dependent children; and

WHEREAS, the funds heretofore appropriated and made available for the use of the State Board of Welfare in its aid to dependent children program will be exhausted on or about February 28, 1947; and

WHEREAS, unless additional funds are appropriated by the State of Delaware to the said Board, it will be necessary for the Board to terminate its program for aid to the present case load of dependent children on February 28, 1947, Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other moneys appropriated to the State Board of Welfare for the fiscal year ending June 30, 1947, there is hereby appropriated to the said State Board of Welfare the stated sum of Twenty One Thousand One Hundred Forty Dollars (\$21,140.00) as a deficiency and emer-

DEFICIENCY APPROPRIATION**STATE BOARD OF WELFARE**

gency appropriation for general use of the said Board in carrying out its work and duties in respect to its aid to the present case load of dependent children.

That the said sum shall be paid and made available to the said State Board of Welfare on approval of this Act.

Section 2. This Act is to be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 14, 1947.

CHAPTER 38

SUSSEX COUNTY LEVY COURT

RENEW LEASE OF LAND TO I. O. O. F.

AN ACT AUTHORIZING THE LEVY COURT OF SUSSEX COUNTY TO RENEW OR EXTEND THE LEASE TO A CERTAIN LOT OF LAND IN GEORGETOWN, SUSSEX COUNTY, OWNED BY THE STATE OF DELAWARE, FOR THE USE OF SUSSEX COUNTY, TO UNION LODGE NO. 3, INDEPENDENT ORDER OF ODD FELLOWS.

WHEREAS, by virtue of the authority contained in a certain Act of General Assembly entitled, "An Act authorizing the Levy Court of Sussex County to lease the old jail in Georgetown, Sussex County" passed on February 26, 1852, the Levy Court of Sussex County did lease to Union Lodge No. 3, Independent Order of Odd Fellows, for a period of ninety-nine years, commencing April 1, 1852 a certain lot of land in said town of Georgetown at the corner of Market Street and Cherry Lane, upon which lot of land the said lessee thereafter erected a building; and

WHEREAS, it is desirable that the said Levy Court shall have the power and authority to renew the said lease with said lessee or to extend the period of the existing lease; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Court of Sussex County may, and the said Levy Court is hereby empowered and authorized, to lease the lot of land above described, either by entering into a new agreement or by extending the period of the existing agreement, to Union Lodge No. 3, Independent Order of Odd Fellows, for such period of time and upon the payment of such rentals and upon such other terms and conditions as may be agreed to between the said Levy Court and the said Union Lodge No. 3, Independent Order of Odd Fellows.

SUSSEX COUNTY LEVY COURT

RENEW LEASE OF LAND TO I. O. O. F.

Section 2. That all moneys received by the said Levy Court under any new or extended agreement entered into by virtue of this Act shall be used by it for the general purposes of Sussex County, as heretofore.

Approved February 14, 1947.

CHAPTER 39

APPROPRIATION

ELIJAH S. HUGHES

AN ACT APPROPRIATING THE SUM OF FIFTEEN HUNDRED DOLLARS (\$1500.00) TO ELIJAH S. HUGHES IN PART PAYMENT OF SERVICES RENDERED BY HIM IN THE OFFICE OF COUNTY COMPTROLLER OF KENT COUNTY WHEN A LIKE SUM IS PAID TO HIM BY OFFICIALS OF KENT COUNTY, DELAWARE.

WHEREAS, at the general election held on the fifth day of November A. D. 1940, Elijah S. Hughes was a candidate for the office of County Comptroller for Kent County and was declared elected by the Superior Court of the State of Delaware sitting as the Board of Canvass and was issued a certificate of election by that tribunal; and

WHEREAS, the said Elijah S. Hughes, relying upon said certificate of election, duly qualified and entered upon the duties of said office on the seventh day of January, A. D. 1941, and continued to perform the duties of said office until the sixteenth day of March, A. D. 1943, when in pursuance to a recanvass of the votes by the Superior Court of Kent County sitting as the Board of Canvass in accordance with the order of the Supreme Court of the State of Delaware the certificate of election theretofore issued to the said Elijah S. Hughes was rescinded, and a certificate of election was then issued to Frank P. Walker; and

WHEREAS, the said Frank P. Walker did on the sixteenth day of March, A. D. 1943, enter into and thereafter performed the duties of said office; and

WHEREAS, the said Frank P. Walker did thereafter file a suit against the said Elijah S. Hughes in the Superior Court of the State of Delaware, in and for New Castle County, in assumpsit to recover from the said Elijah S. Hughes the amount of salary incident to the office of County Comptroller for Kent County which had been paid to and accepted by the said Elijah

APPROPRIATION

ELIJAH S. HUGHES

S. Hughes during the time the said Elijah S. Hughes occupied and performed the duties of the office of said County Comptroller; and

WHEREAS, the said Superior Court did on the nineteenth day of February, A. D. 1944, enter an order to the effect that the said Frank P. Walker was entitled to recover from the said Elijah S. Hughes the salary which the said Elijah S. Hughes had received while he performed the duties of said office, and as a result thereof the said Elijah S. Hughes did pay to the said Frank P. Walker the sum of Three Thousand Dollars (\$3,000.00) in settlement of said suit; and

WHEREAS, the said Elijah S. Hughes having performed the duties and assumed the obligations for the office of County Comptroller from the seventh day of January, A. D. 1941, to the sixteenth day of March, A. D. 1943, and should be compensated for said service, Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of Fifteen Hundred Dollars (\$1500.00) is hereby appropriated to Elijah S. Hughes out of any moneys in the General Fund not otherwise appropriated, in part payment for his services rendered as County Comptroller for Kent County from the seventh day of January, A. D. 1941, to the sixteenth day of March, A. D. 1943; provided, however, that no part of the said Fifteen Hundred Dollars (\$1500.00) shall be paid by the State Treasurer as aforesaid unless and until a like sum of Fifteen Hundred Dollars (\$1500.00) is paid to the said Elijah S. Hughes by the Levy Court of Kent County, Delaware.

Section 2. That the Levy Court of Kent County is hereby authorized to appropriate and pay to Elijah S. Hughes the sum of Fifteen Hundred Dollars (\$1500.00) as part compensation for services rendered to Kent County as aforesaid.

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ELIJAH S. HUGHES

Section 3. The State Treasurer is hereby authorized and directed to pay the said sum of Fifteen Hundred Dollars (\$1500.00) to Elijah S. Hughes when he is advised in writing by the Levy Court of Kent County that a like sum has been paid to the said Elijah S. Hughes by the Receiver of Taxes and County Treasurer for Kent County.

Section 4. This Bill shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 14, 1947.

CHAPTER 40

FARM PRODUCTS INSPECTION SERVICE OF THE
STATE BOARD OF AGRICULTURE**AN ACT MAKING AN ADDITIONAL APPROPRIATION TO
THE STATE BOARD OF AGRICULTURE FOR CARRY-
ING OUT THE PROVISIONS OF THE FARM PRODUCTS
INSPECTION SERVICE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That there is hereby appropriated to the State Board of Agriculture the sum of Four Thousand Five Hundred Dollars (\$4,500.00) for the purpose of carrying out the provisions of the Farm Products Inspection Service of the Bureau of Markets.

Section 2. The money hereby appropriated shall be available to the State Board of Agriculture and shall be paid out by the State Treasurer upon proper vouchers submitted by said Department during the remainder of the fiscal year ending the 30th day of June, A. D., 1947.

Section 3. This bill shall be known as a supplementary and a deficiency appropriation bill and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 14, 1947.

CHAPTER 41

APPROPRIATION

STATE POLICE PENSIONS

**AN ACT MAKING AN APPROPRIATION TO THE STATE
POLICE PENSION BOARD FOR THE PURPOSE OF
CARRYING OUT THE PROVISIONS OF LAW RELAT-
ING TO STATE POLICE PENSIONS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That there is hereby appropriated to the State Police Pension Board the sum of Eleven Thousand Five Hundred Dollars (\$11,500.00) for the purpose of carrying out the provisions of the law relating to the State Police Pension system.

Section 2. The money hereby appropriated shall be available to the State Police Pension Board and shall be paid out by the State Treasurer upon proper vouchers submitted by said Board during the remainder of the fiscal year ending the 30th day of June, A. D., 1947.

Section 3. This Bill shall be known as a supplementary and a deficiency appropriation act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 18, 1947.

CHAPTER 42

APPROPRIATION

STATE HIGHWAY DEPARTMENT

AN ACT TO APPROPRIATE MONEY TO THE STATE HIGHWAY DEPARTMENT TO CARRY OUT THE PROGRAM OF SAID DEPARTMENT AND FOR PERFORMING THE DUTIES AND SERVICES IMPOSED UPON SAID DEPARTMENT BY LAW.

WHEREAS, under the provisions of Acts passed by the General Assemblies of 1935, 1937 and 1939, the sum of One Million, Eight Hundred Thousand Dollars (\$1,800,000.00) was borrowed from the State Highway Fund for the use of the General Fund of the State; and

WHEREAS, in order to repay this sum to the State Highway Department for use on roads, highways and bridges of the State, it is necessary that an appropriation be made over and above amounts appropriated to said Department in the regular budget appropriation bill for the biennium ending June 30, 1949, Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other moneys appropriated to the State Highway Department for the fiscal year ending June 30, 1947, and in addition to the regular appropriations to said Department that may appear in the regular budget appropriation bill for the biennium ending June 30, 1949, there is hereby appropriated to the said State Highway Department of the State of Delaware the sum of Two Million Dollars (\$2,000,000.00) for the use of said Department in carrying out its program and performing the duties and services directed to be performed by said Department by any law of the State.

Section 2. That the funds hereby appropriated shall be available to the said State Highway Department immediately upon the passage and approval of this bill, and the State Treas-

APPROPRIATION

STATE HIGHWAY DEPARTMENT

surer is hereby authorized and directed to pay such sums therefrom as are presented for payment by proper vouchers signed by the officials of said Department.

Section 3. The sums hereby appropriated shall not revert to the General Fund of the State Treasury at the end of any fiscal year but shall be available to the Department for carrying out its work until the said appropriation is fully expended.

Section 4. This bill shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury, not otherwise appropriated.

Approved February 19, 1947.

CHAPTER 43

RECORDER—SUSSEX COUNTY

RECORDING OF CHATTEL MORTGAGES OF FINANCE COMPANIES

AN ACT AUTHORIZING THE RECORDER OF THE STATE OF DELAWARE, IN AND FOR SUSSEX COUNTY TO PROCURE A RECORD FOR THE PURPOSE OF RECORDING CHATTEL MORTGAGES OF FINANCE COMPANIES IN SUSSEX COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The Recorder of the State of Delaware, in and for Sussex County is authorized to have records of forms printed and bound, for the purpose of recording chattel mortgages of Finance Companies in Sussex County, which record shall be printed upon good record paper and with necessary blanks for the names, dates and description of personal property.

Section 2. All records of forms so printed shall be evidence in law as other records of Sussex County.

Section 3. The Levy Court of Sussex County is hereby authorized and directed to pay the necessary costs of procuring said records.

Approved February 20, 1947.

CHAPTER 44

DEFICIENCY APPROPRIATION

STATE BOARD OF EDUCATION

AN ACT MAKING AN APPROPRIATION TO THE STATE BOARD OF EDUCATION TO PROVIDE FOR THE PAYMENT OF CERTAIN CHARGES AND EXPENSES DUE TO A DEFICIENCY IN PRESENT APPROPRIATIONS AVAILABLE TO SAID BOARD FOR SUCH PURPOSES.

WHEREAS, present appropriations available to the State Board of Education are inadequate to meet certain necessary and extraordinary expenses for the remainder of the fiscal year ending June 30, 1947, Therefore

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated to the State Board of Education the sum of Sixty Thousand Nine Hundred Eighty-four Dollars (\$60,984.00) or so much thereof as may be necessary, for the payment of transportation charges of public school students for which the State Board of Education is responsible; for the payment of salaries of substitute teachers; for the payment of salaries of additional teachers made necessary by increased school population in certain areas; for fixed compensation insurance charges; for increased expenses due to the attendance of high school students at the State College for Colored Students; and for general control and instructional service.

Section 2. That the funds hereby appropriated shall be available during the fiscal year ending June 30, 1947, and shall be paid out by the State Treasurer upon proper vouchers presented by the State Board of Education.

Section 3. This Act shall be known as a supplementary and a deficiency appropriation bill and the funds hereby appropriated are to be paid out of the General Fund of the State Treasury from funds not otherwise appropriated.

Approved February 20, 1947.

CHAPTER 45

TRANSFER OF CERTAIN BALANCES TO GENERAL FUND

**AN ACT AUTHORIZING THE STATE TREASURER TO
TRANSFER CERTAIN BALANCES IN THE ACCOUNTS
OF FORMER STATE TREASURER PETER S. COLLINS
TO THE GENERAL FUND OF THE STATE OF DELA-
WARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the State Treasurer be and is hereby authorized to transfer to the credit of the General Fund of the State of Delaware the amount of Six Hundred Thirty Five Dollars and Fifty Eight Cents (\$635.58) made up of certain balances for which the date for honoring any check or order drawn thereupon has expired by statute, such amount being the total of balances on deposit to the credit of the State of Delaware in the Farmers' Bank in the name and in the accounts as follows:

| | |
|-------------------------------------|----------|
| Treasurer of the State of Delaware | |
| Peter S. Collins | \$362.82 |
| Payroll Account | 245.00 |
| Motor Fuel Tax Refund Account | 27.76 |
| | <hr/> |
| Total..... | \$635.58 |

Approved February 20, 1947.

CHAPTER 46

TRANSFER OF CERTAIN BALANCES TO GENERAL FUND

AN ACT AUTHORIZING THE STATE TREASURER TO
TRANSFER CERTAIN BALANCES IN THE ACCOUNTS
OF FORMER STATE TREASURER JOHN S. ISAACS TO
THE GENERAL FUND OF THE STATE OF DELAWARE.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the State Treasurer be and is hereby authorized to transfer to the credit of the General Fund of the State of Delaware the amount of Two Thousand Seven Hundred Sixty Seven Dollars and Thirty Cents (\$2,767.30) made up of certain balances for which the date for honoring any check or order drawn thereupon has expired by statute, such amount being the total of balances on deposit to the credit of the State of Delaware in the Farmers' Bank in the name and in the accounts as follows:

| | |
|--|-------------------|
| Treasurer of the State of Delaware | |
| John S. Isaacs | \$ 603.89 |
| Payroll Account | 2,111.47 |
| Motor Fuel Tax Refund Account | 30.84 |
| Motor Vehicle Licenses and Fees Refund | 21.10 |
| Total | <u>\$2,767.30</u> |

Approved February 20, 1947.

CHAPTER 47

TRANSFER OF CERTAIN BALANCES TO THE MAINTENANCE ACCOUNT
OF THE GEORGETOWN SPECIAL SCHOOL DISTRICT

AN ACT TO AUTHORIZE AND DIRECT THE STATE TREASURER TO TRANSFER TO THE CURRENT MAINTENANCE ACCOUNT OF THE GEORGETOWN SPECIAL SCHOOL DISTRICT THE SUM OF \$5,000.00 APPEARING IN THE STATE TREASURY AS THE DEBT SERVICE ACCOUNT, TO THE CREDIT OF SAID GEORGETOWN SPECIAL SCHOOL DISTRICT.

WHEREAS, the Georgetown Special School District has over a period of years accumulated a substantial surplus in its Debt Service Account, more than sufficient to meet its needs in that account; and

WHEREAS, there is great need for use by the said Georgetown Special School District of additional funds in the Current Maintenance Account of the said school district for the purpose of improvements to building and equipment, Now, Therefore,

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Treasurer of the State of Delaware be and he is hereby authorized and directed to transfer the sum of Five Thousand Dollars (\$5,000.00) from the Debt Service Account of the Georgetown Special School District to the Current Maintenance Account of the Georgetown Special School District.

Section 2. That the said sum so transferred, as provided for in Section 1 of this Act shall be used by the said school district for improvements to school property and/or equipment upon warrants drawn on the said fund by the proper officer or officers of The Board of Education of the Georgetown Special School District, and the State Treasurer is hereby authorized and directed to pay, from time to time, out of said fund, such warrants.

Approved February 27, 1947.

CHAPTER 48

UNIFORM STATE SUPPORTED SALARY SCHEDULE FOR
TEACHERS IN FREE PUBLIC SCHOOLSAN ACT TO PROVIDE FOR A UNIFORM STATE SUPPORTED
SALARY SCHEDULE FOR TEACHERS IN THE
FREE PUBLIC SCHOOLS OF THE STATE OF DELA-
WARE, AND TO PROVIDE APPROPRIATIONS THERE-
FOR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. There is hereby established a permanent State Supported Uniform Salary Schedule and Classification of and for teachers, principals and certain other persons in the Free Public Schools of Delaware, to be effective, and to remain in effect, on and after the First Day of July, A. D. 1947, as follows:

| YEARS OF EXPERIENCE (1) | PREPARATION: | | MASTER'S DEGREE (3) | AGRI- CULTURE (12 mos.) (4) | PRINCIPALS | | |
|-------------------------------|---------------|--------|---------------------------|--------------------------------------|-----------------|------------------------------------|-----------------------------|
| | 2 Yrs. (2) | 4 Yrs. | | | Elem. School | 2nd Group High School (5) | 1st Group High School |
| 0 | \$1600 | \$2000 | \$2200 | \$2550 | \$1930 | \$2550 | \$3150 |
| 1 | 1675 | 2000 | 2200 | 2650 | 2030 | 2650 | 3250 |
| 2 | 1750 | 2000 | 2200 | 2750 | 2130 | 2750 | 3350 |
| 3 | 1855 | 2100 | 2300 | 2850 | 2230 | 2850 | 3450 |
| 4 | 1930 | 2200 | 2400 | 2950 | 2330 | 2950 | 3550 |
| 5 | 2005 | 2300 | 2500 | 3050 | 2430 | 3050 | 3650 |
| 6 | 2080 | 2400 | 2600 | 3150 | 2530 | 3150 | 3750 |
| 7 | 2155 | 2500 | 2700 | 3250 | 2630 | 3250 | 3850 |
| 8 | 2230 | 2600 | 2800 | 3350 | 2730 | 3350 | 3950 |
| 9 | 2305* | 2700 | 2900 | 3450 | 2830 | 3450 | 4050 |
| 10 | 2380** | 2800 | 3000 | 3550 | 2930 | 3550 | 4150 |
| Possible | | | | | | | |
| Maximums: | 3000 | 3600 | 3800 | 4200 | 3700 | 4300 | 4700 |

*—Maximum 1947-1948

**—Maximum 1948-1949

(1) **Experience:**—Years of Experience as herein used shall mean years of teaching. Ninety-one days in any school year shall constitute one year of experience, provided, however, that not more than one year of experience may be credited for any one calendar year.

**UNIFORM STATE SUPPORTED SALARY SCHEDULE FOR
TEACHERS IN FREE PUBLIC SCHOOLS**

(2), (3), (4), (5) Preparation, Master's Degree, Agriculture, Principals:—The foregoing words as herein used shall mean Preparation, Master's Degree, Agriculture and Principals, as defined in the rules and regulations for the Certification of teachers as are now or may hereafter be prescribed by the State Board of Education.

Section 2. Effective July 1, 1947, and continuing for the fiscal years beginning July 1, 1947, and ending June 30, 1948, and beginning July 1, 1948 and ending June 30, 1949, respectively, there shall be added to the funds provided for instructional salaries of persons covered by this Act of the Board of Education of the City of Wilmington and of each of the Boards of Education of the special school districts throughout the State, and of the State Board of Education for school districts of the State Board Units, hereinafter referred to as "Districts and Units", a sum sufficient to bring the total salary of each person in each of the classifications set forth in said schedule and classifications up to the minimum salary therein set forth for each person in each respective classification, and to provide a minimum increase for each such person of Two Hundred Dollars (\$200.00) for the fiscal year beginning July 1, 1947 and ending June 30, 1948, and for the fiscal year beginning July 1, 1948 and ending June 30, 1949, over and above the annual rate of salary that such person will receive for the school year 1946-1947, less the temporary salary increase payable under the provisions of Senate Bill No. 18 passed at the 114th General Assembly and approved by the Governor on January 27, 1947.

Section 3. To carry out the provisions of this Act in the allocation of funds the State Board of Education shall allocate, during each of the years beginning July 1, 1947 and July 1, 1948, respectively, to the Board of Public Education in the City of Wilmington and to each of the Boards of Education of the special school districts throughout the State, and to the State Board of Education for school districts of the State Board Unit the amounts required to bring the salaries of persons covered by

UNIFORM STATE SUPPORTED SALARY SCHEDULE FOR TEACHERS IN FREE PUBLIC SCHOOLS

this Act up to the standards herein provided for, such amounts to be determined from the personnel classification of persons covered by this Act.

Section 4. The State Board of Education shall, as soon as the classification of persons covered by said salary schedule and classification has been determined for any year, and the amounts to be allocated as provided in Section 3 of this Act have been estimated, advise the State Treasurer and the Auditor of Accounts who shall cause such monies to be made available to the respective "Districts and Units" in the respective amounts to carry out the purposes of this Act.

Section 5. In the event that any person or persons covered by this Act shall be replaced, the district or unit shall contribute as much, if necessary, from the funds appropriated directly to such district or unit by the Legislature for instructional salaries as it did toward the salary of the person or persons replaced:

Section 6. In the event any additional personnel covered by this Act, over and above those employed or vacancies existing on February 1, 1947, shall be employed, the amount to be provided under this Act toward the salary of such person or persons in any one school year shall not be more than \$400.00 for persons having four years or more of preparation and \$450.00 for those having less than four years' preparation.

Section 7. There is hereby appropriated to the State Board of Education the sum of Seven Hundred and Twenty-five Thousand Dollars (\$725,000.00) for the fiscal year beginning July 1, 1947 and ending June 30, 1948, and the sum of Seven Hundred and Twenty-five Thousand Dollars (\$725,000.00) for the fiscal year beginning July 1, 1948 and ending June 30, 1949, for the purposes of, and subject to, the provisions contained in this Act.

Section 8. The State Board of Education shall have the authority to make such rules and regulations as shall make the application of the aforesaid salary schedule uniform throughout the State.

**UNIFORM STATE SUPPORTED SALARY SCHEDULE FOR
TEACHERS IN FREE PUBLIC SCHOOLS**

Section 9. If any clause, sentence, paragraph or part of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 10. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Section 11. This Act may be cited as the "State Supported Salary Schedule for Teachers".

Section 12. This Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 27, 1947.

CHAPTER 49

ESTABLISHING NUMBER OF STATE POLICE STATIONS

AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "STATE HIGHWAY DEPARTMENT", BY MAKING PROVISION FOR STATE POLICE STATIONS IN THE STATE.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 166, Revised Code of Delaware, 1935, as amended, be further amended by adding at the end of 5747. Sec. 28. of Article 4 of said Chapter 166 a new Section to be designated 5747A. Sec. 28A. as follows:

5747A. Sec. 28A. **Minimum Number of State Police Stations in State; Location; Additional Stations; Staff and Equipment:**—The Department is authorized and directed to establish and maintain at least five State Police Stations in the State of Delaware, one of which shall be located at Penny Hill, New Castle County, one of which shall be located at State Road, New Castle County, one of which shall be located at or near the City of Dover, Kent County, one of which shall be located at or near Bridgeville, Sussex County, and one of which shall be located at or near Georgetown, Sussex County, and such other stations as the State Highway Department shall deem necessary for the proper policing of the highways of the state and for the enforcement of the laws of the state. Such State Police Stations as are herein directed to be established and maintained shall each be staffed with members of the State Police of the State, and shall each be equipped with radio equipment to aid in the police work of the Department.

Approved February 28, 1947.

CHAPTER 50

DELAWARE WORKMEN'S COMPENSATION LAW

DEFINING CASUAL EMPLOYMENT

AN ACT TO AMEND CHAPTER 175 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "DELAWARE WORKMEN'S COMPENSATION LAW", BY DEFINING CASUAL EMPLOYMENT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 6113. Sec. 43. of Chapter 175, of the Revised Code of Delaware, 1935, as amended, be further amended by striking out all of said 6113. Sec. 43. thereof and inserting in lieu thereof a new paragraph to be known as 6113. Sec. 43., as follows:

6113. Sec. 43. "Employee" Construed:—The term "employee" as used in this Chapter shall be construed to mean: Every person in service in the State of Delaware of the County of New Castle, or any corporation (private, public, municipal or public quasi), of any association, of any firm or of any person (excepting the employer mentioned in Sec. 48 and Sec. 49 hereof) under any contract of hire, expressed or implied, oral or written, or performing services for a valuable consideration, excluding executive officers of any corporation and executive officers for the purpose of this Act shall be construed to mean the President, any Vice-President, Secretary, Treasurer, or any other executive officer elected and empowered by the Board of Directors in accordance with the Charter and the regularly adopted By-laws of the Corporation, unless such officers elect to be covered under this Act, and also excluding any person whose employment is casual and not in the regular course of the trade, business, profession or occupation of his employer, and not including persons to whom articles or materials are furnished or repaired, or adopted for sale in the workman's own home, or on the premises not under the control or management of the employer. Casual employment shall mean employment for not over two weeks or

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DEFINING CASUAL EMPLOYMENT

a total salary during said employment not to exceed One Hundred Dollars (\$100.00) and subject to the above, repairs and maintenance of employer's regular business shall not be construed as casual employment.

Approved February 28, 1947.

CHAPTER 51

MOTOR VEHICLES

AUXILIARY DRIVING LAMPS, FLARES AND SIMILAR DEVICES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO REQUIREMENTS AS TO HEAD LAMPS, AUXILIARY DRIVING LAMPS, FLARES AND SIMILAR DEVICES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5668. Sec. 130 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is amended by repealing paragraphs (d), (e) and (f) thereof and substituting therefor the following:

(d) Every person operating a motor vehicle on the public highways, when approaching or about to pass any other person operating a motor vehicle and traveling in the opposite direction, shall seasonably dim, depress or tilt the front head lights on his vehicle so that the rays projected therefrom will not blind the person whom such operator is approaching and about to pass; provided, that the dimmed, depressed or tilted lamps shall give sufficient illumination under normal atmospheric conditions and on a level road to render clearly discernible a person seventy-five (75) feet ahead; and provided further, that this provision shall not apply to vehicles equipped with acetylene or similar gas lights.

(e) No person shall operate any motor truck having a width at any part in excess of eighty (80) inches upon a highway outside of a business or residence district at any time from a half hour after sunset to a half hour before sunrise, unless there shall be carried in such vehicle a sufficient number of flares, electric lanterns, or other devices, not less than three, capable of producing continuously three warning lights or signals each visible from a distance of at least Five Hundred (500) feet for a period of at least eight hours; provided, however, that red reflectors may be carried in place of flares, electric lanterns or other signals.

MOTOR VEHICLES

AUXILIARY DRIVING LAMPS, FLARES AND SIMILAR DEVICES

Each such flare, lantern, reflector, or signal shall be of a type approved by the Motor Vehicle Commissioner; and he shall publish lists of those devices which he has approved as adequate, for the purposes of this section.

(f) Whenever any motor truck having a width at any part in excess of eighty (80) inches and its lighting equipment shall become disabled during the period when lighted lamps must be displayed on vehicles, and such motor truck cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district, the driver or other person in charge of such vehicle shall cause flares, lanterns, reflectors or other signals to be lighted and placed upon the highway, one at a distance of approximately one hundred (100) feet in advance of such vehicle, one at a distance of approximately one hundred (100) feet to the rear of the vehicle and the third upon the roadway of the vehicle; provided, however, that if the vehicle is transporting flammables three red reflectors may be so placed as to afford a warning of the presence of the vehicle on the highway in lieu of such other signals and no open burning flare shall be placed adjacent to any such vehicle.

Approved March 7, 1947.

CHAPTER 52

APPROPRIATION

BOARD OF MANAGERS OF THE COUNCIL OF STATE GOVERNMENTS

AN ACT APPROPRIATING MONEY TO BOARD OF MANAGERS OF THE COUNCIL OF STATE GOVERNMENTS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House agreeing thereto):

Section 1. That the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby appropriated to the Board of Managers of the Council of State Governments for the bien-nium beginning July 1, 1947 and ending June 30, 1949 for the purpose of aiding and furthering the efforts of said Council in rendering service to the States in matters of inter-state cooperation.

Five Hundred Dollars (\$500.00) of said sum shall be paid to said Board of Managers of said Council within three months after July 1, 1947, and a like sum of Five Hundred Dollars (\$500.00) shall be paid within three months after July 1, 1948.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved March 7, 1947.

CHAPTER 53

MOTOR VEHICLES

MANDATORY REVOCATION OF LICENSE

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO MANDATORY REVOCATION OF LICENSE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5605. Sec. 67 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by repealing all of said Section and substituting therefor the following: .

5605. Sec. 67. **Mandatory Revocation of License by the Department:**—The Department shall forthwith revoke the license of any person upon receiving a record of the conviction of such person of any of the following crimes:

1. Manslaughter resulting from the operation of a motor vehicle.
2. The crime of assault in which a motor vehicle is used and the death of a human being results.
3. Driving a vehicle while under the influence of intoxicating liquor or narcotic drug.
4. Perjury or the making of a false affidavit to the Department under this Chapter or any other law of this State requiring the registration of motor vehicles or regulating their operation on highways.
5. Any crime punishable as a felony under the motor vehicle Laws of this State or any other felony in the commission of which a motor vehicle is used.
6. Conviction or forfeiture of bail upon three charges of reckless driving all within the preceding twelve months.
7. A conviction of a driver of a motor vehicle, involved in an accident resulting in the death or injury of another person, upon a charge of failing to stop and disclose his identity at the scene of the accident.

Approved March 7, 1947.

CHAPTER 54

RECORDERS

INDEXING AND CANCELLING OF OFFICIAL OBLIGATIONS

AN ACT TO AMEND CHAPTER 50 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, RELATING TO THE INDEXING OF OFFICIAL OBLIGATIONS AND MARKING THE SAME CANCELLED IN THE INDEX BOOK.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1552. Sec. 10, Chapter 50, Revised Code of Delaware, 1935, be amended by adding a new paragraph at the end of the said section as follows:

He shall keep a separate index book in which shall be indexed the name of each official whose obligation is herein required to be recorded. Upon cancellation of any official obligation in accordance with Section 4 of Chapter 11 of the Revised Code of Delaware, 1935, he shall write the word "cancelled" and sign his name as Recorder opposite or along side of the name of the official whose bond has been so cancelled.

Approved March 7, 1947.

CHAPTER 55

CANCELLATION OF STATE AND COUNTY BONDS

AN ACT TO AMEND CHAPTER 11 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, RELATING TO CANCELLATION OF BONDS OF STATE AND COUNTY OFFICERS AFTER EXPIRATION OF TERM OF OFFICE BY PROVIDING FOR THE FILING OF A PETITION TO THE SUPERIOR COURT AND THE PUBLICATION OF SAID PETITION BEFORE HEARING THEREON.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 11 of the Revised Code of Delaware, 1935, be and the same is hereby amended by repealing 351. Sec. 6, and 352. Sec. 7, thereof, and by inserting in lieu of said Sections the following, to be known as 351. Sec. 6, and 352, Sec. 7:

351. Section 6. At any time after the expiration of the term of office of any State or County officer in this State, who is required by law to give bond or other obligation with surety for the faithful performance of his duties as such officer, such officer may present a petition to the Superior Court of the particular county in which said bond or other obligation is filed or recorded, in term time or in vacation, in such form as shall be prescribed by the said Court, stating all of the facts proper and necessary to lay before the said Court and the reasons for asking that the said bond or other obligation theretofore entered into by such officer should be cancelled and satisfied of record. Before any hearing shall be had upon said petition, the petitioner shall cause a copy of said petition to be published in one or more newspapers published in the said County, at least once a week for three successive weeks, and in addition thereto the said Court may require such additional notice of the filing of said petition as in its opinion shall be deemed advisable.

CANCELLATION OF STATE AND COUNTY BONDS

352. Section 7. Upon the presentation of any such petition, by said such officer, as stated in Section 6 of this Chapter, to the Superior Court of the particular County as aforesaid, said Court shall inquire into all the facts and circumstances of the particular case; and, if satisfied from the evidence presented that the said officer has performed all of the duties lawfully required of him, and has properly accounted for all monies or other property or things of value coming into his hands as such officer, and there are no reasons why the bond or other official obligation of such officer should not be cancelled and satisfied of record; then, and under such circumstances, the said Court may in its discretion make an order that said bond or other official obligations of such officer be cancelled, and that the Recorder of Deeds of the County where the said bond or other official obligation is recorded shall mark the same satisfied of record.

Approved March 7, 1947.

CHAPTER 56

BONDS OF CONSTABLES

AN ACT TO AMEND CHAPTER 11 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, RELATING TO OFFICIAL BONDS OF CONSTABLES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 11 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing 349, Section 4 of said chapter, and by inserting in lieu thereof the following new Section, to be known as 349, Section 4:

349. Section 4. **Cancellation of Bonds of Certain Public Officers After Three Years:**—The several Bonds and recognizances of the several officers provided for in Sections 3 and 10 of this Chapter as well as the official Bond of any Constable of the several Counties shall be cancelled three years after the expiration of the terms of office of the said several officers and such Constable and shall after such time cease to be a lien on any property of any kind of the said several officers and such Constable or their respective Bondsmen.

Approved March 7, 1947.

CHAPTER 57

APPROPRIATION

PURCHASE OF CERTAIN HIGHWAY BOND MATURITIES

AN ACT AUTHORIZING THE STATE TREASURER TO PURCHASE CERTAIN HIGHWAY IMPROVEMENT BONDS AND STATE AID BONDS ISSUED BY THE LEVY COURTS OF NEW CASTLE, KENT AND SUSSEX COUNTIES AND MATURING DURING THE FISCAL BIENNIUM ENDING JUNE 30, 1949.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Treasurer is hereby authorized, empowered and directed to purchase at par all Highway Improvement Bonds and State Aid Bonds heretofore issued by New Castle, Kent and Sussex Counties, respectively, which shall mature during the fiscal biennium of the State beginning on July 1, 1947 and ending on June 30, 1949.

Section 2. The Highway Improvement Bonds and State Aid Bonds, heretofore referred to in this Act, are as follows:

New Castle County Bonds authorized under the following acts—Chapter 88 of Volume 32, Laws of Delaware; Chapter 94 of Volume 33, Laws of Delaware; Chapter 101 of Volume 29, Laws of Delaware; Chapter 103 of Volume 34, Laws of Delaware; Chapter 25 of Volume 26, Laws of Delaware; Chapter 29 of Volume 25, Laws of Delaware and Chapter 45 of Volume 27, Laws of Delaware. Kent County Bonds authorized under the following acts—Chapter 97 of Volume 33, Laws of Delaware; Chapter 104 of Volume 34, Laws of Delaware; Chapter 104 of Volume 29, Laws of Delaware; Chapter 23 of Volume 31, Laws of Delaware and Chapter 174 of Volume 27, Laws of Delaware. Sussex County Bonds authorized under the following acts—Chapter 105 of Volume 34, Laws of Delaware; Chapter 111 of Volume 43, Laws of Delaware and Chapter 112 of Volume 43, Laws of Delaware.

APPROPRIATION

PURCHASE OF CERTAIN HIGHWAY BOND MATURITIES

Section 3. On or before June 1, 1947 the Levy Court Commissioners of the Counties of New Castle, Kent and Sussex, respectively, shall certify to the State Treasurer the number of bonds of each issue, the amount thereof and the date on which the maturities of principal on the said Highway Improvement Bonds and the said State Aid Road Bonds of each of said Counties will become due and payable during the fiscal biennium of the State of Delaware beginning on July 1, 1947 and ending on June 30, 1949.

Section 4. Within ten days prior to the maturity date of any of the bonds set forth in Section 2 of this Act, it shall be the duty of the State Treasurer and Auditor of Accounts, and the State Treasurer and Auditor of Accounts are hereby directed and required to have on deposit and available for immediate payment at the Farmers Bank in the proper county of this State or other place where the principal of said bonds is payable at maturity, according to the provisions thereof, full and sufficient funds to pay at par the principal of all such maturing bonds, and upon the presentation of any of said bonds for payment on the maturity date or thereafter, to cause to be paid to the lawful owner or holder of any such bonds the principal sums due thereon.

Section 5. Upon the presentation at maturity of any of said bonds, there shall be paid to the registered holder or to the bearer thereof, as specified in the bonds, the principal sum of each maturing bond out of the funds deposited with and made available for this specific purpose under the provisions of this Act, and upon payment thereof the bonds shall thereafter be delivered to the State Treasurer. If any of the bonds are registered according to the provisions thereof the registered holder shall properly endorse, assign and transfer his title thereto to the State Treasurer.

Section 6. There is hereby appropriated, authorized and directed to be paid out of the State Treasury such sums of money as shall be necessary for the payment of maturities of

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PURCHASE OF CERTAIN HIGHWAY BOND MATURITIES

principal on all the said bonds set forth in Section 2 of this Act. The moneys hereby appropriated and authorized shall embrace the sums necessary to provide for the said maturities of principals on the said Highway Improvement Bonds and the said State Aid Road Bonds of each of the said counties falling due during the period from July 1, 1947 to June 30, 1949, both inclusive.

Section 7. The moneys hereby appropriated and authorized to be paid out of the State Treasury shall be paid out of moneys in the General Fund not otherwise appropriated.

Section 8. The Levy Courts of the respective Counties in fixing the annual rate of taxation shall not provide for the raising of any sum of money for the payment of maturities on any of the bonds in this Act referred to.

Section 9. All persons are hereby authorized, directed and empowered to do any act or acts necessary for the carrying out of the provisions of this act in order that the principal of each and every of the bonds specified in this Act shall be duly and faithfully paid upon the maturity thereof according to the provisions thereof.

Approved March 7, 1947.

CHAPTER 58

APPROPRIATION

PURCHASE OF PAST DUE INTEREST COUPONS ON CERTAIN
HIGHWAY IMPROVEMENT BONDS

AN ACT APPROPRIATING MONEYS FROM THE STATE TREASURY FOR THE PURPOSE OF PURCHASING PAST DUE INTEREST COUPONS ON CERTAIN HIGHWAY IMPROVEMENT BONDS AND STATE AID BONDS ISSUED BY THE LEVY COURTS OF NEW CASTLE, KENT AND SUSSEX COUNTIES, DURING THE FISCAL BIENNIUM OF THE STATE OF DELAWARE, ENDING JUNE 30, 1949.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Treasurer is hereby authorized, empowered and directed to purchase at par the interest coupons falling due during the fiscal biennium of the State of Delaware beginning July 1, 1947 and ending June 30, 1949 on all Highway Improvement Bonds and State Aid Road Bonds heretofore issued by New Castle, Kent and Sussex Counties.

Section 2. The Highway Improvement Bonds and State Aid Road Bonds referred to in Section 1 hereof are as follows:

New Castle County Bonds authorized under the following acts—Chapter 88 of Volume 32, Laws of Delaware; Chapter 94 of Volume 33, Laws of Delaware; Chapter 101 of Volume 29, Laws of Delaware; Chapter 103 of Volume 34, Laws of Delaware; Chapter 25 of Volume 26, Laws of Delaware; Chapter 29 of Volume 25, Laws of Delaware and Chapter 45 of Volume 27, Laws of Delaware. Kent County Bonds authorized under the following acts—Chapter 97 of Volume 33, Laws of Delaware; Chapter 104 of Volume 34, Laws of Delaware; Chapter 23 of Volume 31, Laws of Delaware; Chapter 104 of Volume 29, Laws of Delaware and Chapter 174 of Volume 27, Laws of Delaware.

APPROPRIATION

PURCHASE OF PAST DUE INTEREST COUPONS ON CERTAIN HIGHWAY IMPROVEMENT BONDS

Sussex County Bonds authorized under the following acts—Chapter 105 of Volume 34, Laws of Delaware; Chapter 111 of Volume 43, Laws of Delaware and Chapter 112 of Volume 43, Laws of Delaware.

Section 3. On or before June 1, 1947 the Levy Court Commissioners of the Counties of New Castle, Kent and Sussex, respectively, shall certify to the State Treasurer the number of and the amount of interest coupons of said Bonds falling due during said fiscal biennium.

Section 4. Within ten days prior to the maturity date of said interest coupons of the Bonds set forth in Section 2 of this Act, it shall be the duty of the State Treasurer and Auditor of Accounts, and they and each of them hereby are directed and required to have on deposit and available for immediate payment at the Farmers Bank in the proper County of this State, or other place where the interest on said bonds is payable, according to the provisions thereof full and sufficient funds to purchase at par said interest coupons on all such bonds, and upon the presentation of any of said interest coupons on the date when the same become due and payable, or on any date thereafter, to purchase, or cause to be purchased, from the lawful owner or holder of such coupons said coupons at the face value thereof.

Section 5. Upon presentation at maturity of any of said interest coupons there shall be paid to the holder thereof, as the purchase price of said coupon or coupons, the face value of each maturing coupon out of the funds deposited with and made available for this specific purpose under the provisions of this Act, and upon payment thereof said coupons shall thereafter be delivered to the State Treasurer.

Section 6. There is hereby appropriated, authorized and directed to be paid out by the State Treasurer for the fiscal year beginning July 1, 1947 and ending June 30, 1948 the sum of One Hundred Ten Thousand Four Hundred Twenty-Five Dol-

APPROPRIATION

PURCHASE OF PAST DUE INTEREST COUPONS ON CERTAIN HIGHWAY IMPROVEMENT BONDS

lars (\$110,425.00) and for the fiscal year beginning July 1, 1948 and ending June 30, 1949 the sum of Ninety-Eight Thousand Two Hundred Seventy-Five Dollars (\$98,275.00) for the purposes herein set forth. The moneys hereby appropriated shall be paid out of the State Treasury out of moneys in the General Fund not otherwise appropriated.

Section 7. If any of the Bonds as set forth in Section 2 hereof shall not be coupon bonds, but shall be bonds on which the interest falling due is payable directly to the registered holder thereof, the State Treasurer is hereby authorized and directed to purchase from such registered holder, at its full value any such interest obligations falling due on any of said Bonds within said biennium. Any interest obligations purchased under this Section shall be held by the State Treasurer.

Section 8. The Levy Courts of the respective Counties in fixing the annual rate of taxation shall not provide for the raising of any sum of money for the payment of such interest coupons and interest obligations on any of the Bonds referred to in this Act.

Section 9. All persons are hereby authorized, directed and empowered to do any Act or Acts necessary for the carrying out of the provisions of this Act.

Approved March 7, 1947.

CHAPTER 59

LEVY COURT—KENT COUNTY

AUTHORIZING APPROPRIATION TO FIREMEN'S ASSOCIATION

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE OF DELAWARE, 1935, BY STRIKING OUT AND REPEALING ALL OF 1194. SEC. 48. THEREOF AND INSERTING IN LIEU THEREOF A NEW SECTION TO BE STYLED 1194. SEC. 48. SAID NEW SECTION DIRECTING THE LEVY COURT OF KENT COUNTY TO APPROPRIATE CERTAIN MONEY TO THE KENT COUNTY VOLUNTEER FIREMEN'S ASSOCIATION FOR DISTRIBUTION EQUALLY AMONG MEMBER COMPANIES."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 43 of the Revised Code of Delaware, 1935, as amended by Chapter 115, Volume 45, Laws of Delaware, be and the same hereby is amended by striking out and repealing all of 1194. Sec. 48. of said chapter and enacting and inserting in lieu thereof a new section to be known and styled as 1194. Sec. 48., as follows:

1194. Sec. 48. The Levy Court of Kent County is authorized and directed to appropriate annually, on the first day of October of each year, to the Kent County Volunteer Firemen's Association, the sum of Eight Thousand Dollars (\$8,000.00) to be distributed by said Firemen's Association equally to each of the regularly organized and motorized Fire Companies, Members of said Association, for the maintenance and upkeep of the fire equipment of said member companies.

Approved March 7, 1947.

CHAPTER 60

NEW CASTLE COUNTY COURT OF COMMON PLEAS

TRANSMITTAL OF COPIES OF JUDICIAL AND CHANCERY REPORTS

AN ACT TO AMEND CHAPTER 5 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, TO PROVIDE FOR THE TRANSMITTAL TO THE COURT OF COMMON PLEAS OF NEW CASTLE COUNTY OF COPIES OF THE JUDICIAL REPORTS AND CHANCERY REPORTS OF THE STATE OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 5 of the Revised Code of Delaware, 1935, be and the same hereby is amended by striking out and repealing 29. Sec. 7. thereof and enacting and inserting in lieu thereof a new section, as follows:

29. Sec. 7. **Judicial and Chancery Reports Deposited in Library; Disposal of Same:**—The State Librarian, upon the receipt of Judicial Reports and Chancery Reports to be deposited in the Library by law, shall transmit one copy of each of said reports to the Library of each State and Territory, one copy to the Congressional Library, one copy to the New Castle County Law Library, one copy to the University of Delaware, one copy to the Historical Society of the State of Delaware, one copy to the Library of the Municipal Court of the City of Wilmington, and one copy to the Court of Common Pleas for New Castle County.

Approved March 7, 1947.

CHAPTER 61

MOTOR VEHICLES

PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE LAWS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5680. Sec. 142 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by repealing all of said Section and substituting therefor the following:

5680. Sec. 142. **Penalty for Violations of Provisions of Sections 83 to 103 Inclusive, 105, 106, 107 (b), 108, 110, 114 to 117 Inclusive, 119 to 123 Inclusive, 132, 133, 138 and 139:—** Every person convicted of a misdemeanor for a violation of any of the provisions of Sections 83 to 103 inclusive, 105, 106, 107 (b), 108, 110, 114 to 117 inclusive, 119 to 123 inclusive, 132, 133, 138 and 139 of this Chapter shall be punished for the first offense by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), or imprisonment for not less than ten (10) days nor more than thirty (30) days, or both such fine and imprisonment; and for each subsequent like offense shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment for not less than fifteen (15) days nor more than thirty (30) days, or both such fine and imprisonment; provided, however, that all second offenses under Sections 83 to 103 inclusive, 105, 106, and 117, before being punishable as such shall have been committed within twelve (12) months after the commission of the first offense.

Approved March 17, 1947.

CHAPTER 62

MOTOR VEHICLES

DUTY OF DRIVERS TO STOP AT SCENE OF ACCIDENT

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE DUTY OF DRIVERS OF MOTOR VEHICLES TO STOP AT THE SCENCE OF AN ACCIDENT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5645. Sec. 107 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by repealing paragraph (b) thereof and substituting therefor the following:

(b) The driver of any vehicle involved in an accident on the public highways resulting in apparent damage to property shall immediately stop such vehicle at the scene of the accident, and any person violating this provision shall, upon conviction, be punished as provided in Section 142 of this Chapter; provided, however, if the damage resulting from such accident is to the property of the driver only, with no damage to the person or property of another, the driver need not stop at the scene of the accident, but shall immediately make report of the damage resulting.

Approved March 17, 1947.

CHAPTER 63

MOTOR VEHICLES

RELATING TO SAFETY GLASS EQUIPMENT

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO SAFETY GLASS EQUIPMENT FOR MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5717. Sec. 179 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by striking out all of said Section and substituting therefor the following:

5717. Sec. 179. Department to Maintain List; Shall Not License Unless Thus Equipped; Fee for Approval:—The Motor Vehicle Department shall maintain a list of approved types of safety glass conforming to the specifications and requirements therefor as set forth in this Article, and shall not issue a license for, or re-license, any motor vehicle subject to the provisions of this Article unless such motor vehicle shall be equipped with such approved type of glass. The fee for examination, testing and approval of each type of glass submitted to the department shall be Ten Dollars (\$10.00).

Approved March 17, 1947.

CHAPTER 64

MOTOR VEHICLES

RELATING TO SIGNING AND CARRYING OF LICENSE CERTIFICATES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE SIGNING AND CARRYING OF LICENSE CERTIFICATES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by repealing all of paragraph (a) of 5602. Sec. 64, and substituting therefor the following:

(a) Every person licensed as an operator or chauffeur shall write his usual signature with pen and ink in the spaces provided for that purpose on the license certificate, and such license shall not be valid until the certificate is so signed.

Approved March 17, 1947.

CHAPTER 65

BOARD OF BOILER RULES

CHANGING TERMS OF OFFICE

AN ACT TO AMEND CHAPTER 159 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED, "BOARD OF BOILER RULES", BY CHANGING THE TERMS OF OFFICE OF THE MEMBERS OF SAID BOARD, AND BY MAKING PROVISION FOR THE FILLING OF VACANCIES UPON SAID BOARD.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5420. Sec. 1 of Chapter 159 of the Revised Code of Delaware, 1935, be amended by striking out and repealing the last sentence of the first paragraph of said Section and by substituting and enacting in lieu of the sentence so stricken out the following:

The terms of office of those members first appointed under the provisions of this Amendatory Act shall be for one, two, three, four and five years and the Governor shall designate the term for which each said appointee shall hold, and thereafter the terms of office of the members of said Board shall be for the period of five (5) years; any vacancy occurring in said Board by reason of death, resignation or otherwise, shall be filled by the Governor for the unexpired term.

Approved March 17, 1947.

CHAPTER 66

LEVY COURT—KENT COUNTY

AUTHORIZING APPROPRIATION TO SMYRNA AMBULANCE

AN ACT AUTHORIZING THE LEVY COURT OF KENT COUNTY TO APPROPRIATE COUNTY MONIES TO DAVID C. HARRISON POST NO. 14 INC., AMERICAN LEGION, FOR THE MAINTENANCE OF AMBULANCE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Court of Kent County is hereby authorized and directed to appropriate public monies toward the maintenance of the ambulance furnished by David C. Harrison Post, No. 14, Inc., American Legion, at Smyrna, for the benefit of residents of Kent County in the amount of Five Hundred Dollars (\$500.00) annually.

Approved March 18, 1947.

CHAPTER 67

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

**AN ACT MAKING APPROPRIATION FOR THE EXPENSES
OF THE STATE GOVERNMENT FOR EACH OF THE
TWO FISCAL YEARS ENDING JUNE 30, 1948 AND
JUNE 30, 1949.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the several amounts named in this Act, or so much thereof as may be necessary, are hereby appropriated and authorized to be paid out of the treasury of this State to the respective public officers of the respective departments and divisions of government, and other specified spending agencies, subject to the provisions of Chapter 204, Volume 42, Laws of Delaware 1939, and for the periods specified; provided, however, that all parts or portions of the several sums appropriated by this Act which, on the first day of July immediately following each of the respective fiscal years, shall not have been paid out of the State Treasury, shall revert to the General Fund of the State Treasury.

The several amounts hereby appropriated are as follows:

LEGISLATIVE AND ELECTIONS

COMMITTEE ON UNIFORM LAWS

| AGENCIES | YEAR ENDING JUNE 30, | |
|--|----------------------|-----------|
| | 1948 | 1949 |
| Dues | \$ 250.00 | \$ 250.00 |
| Travel | 250.00 | 250.00 |
| <hr/> | | |
| TOTAL Committee on Uniform Laws | \$ 500.00 | \$ 500.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

DELAWARE COMMISSION ON INTERSTATE COOPERATION

| | | |
|--|-------------|-------------|
| Fees | \$ 3,750.00 | \$ 3,750.00 |
| Office Expense | 25.00 | 25.00 |
| Travel | 350.00 | 350.00 |
| <hr/> | | |
| TOTAL Delaware Commission on Interstate Cooperation | \$ 4,125.00 | \$ 4,125.00 |
| <hr/> | | |

REGISTRATIONS AND ELECTIONS

| | | |
|---|---------|-------------|
| Salaries of Registrars, Assistants and Presidential Electors | \$..... | \$30,000.00 |
| <hr/> | | |
| TOTAL Registrations and Elections | \$..... | \$30,000.00 |
| <hr/> | | |

LEGISLATIVE REFERENCE BUREAU

| | | |
|---|--------------|--------------|
| Salary of Executive Director | \$ 5,000.00 | \$ 5,000.00 |
| Salaries and Wages of Employees | 3,650.00 | 3,650.00 |
| Office Expense | 750.00 | 750.00 |
| Travel | 150.00 | 150.00 |
| Repairs and Replacements | 200.00 | 200.00 |
| Equipment | 250.00 | 250.00 |
| <hr/> | | |
| TOTAL Legislative Reference Bureau | \$ 10,000.00 | \$ 10,000.00 |
| <hr/> | | |
| TOTAL LEGISLATIVE AND ELECTIONS | \$ 14,625.00 | \$ 44,625.00 |
| <hr/> | | |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

EXECUTIVE AND FINANCIAL

GOVERNOR

| | | |
|--------------------------------|---------------------|---------------------|
| Salary of Governor | \$ 7,500.00 | \$ 7,500.00 |
| Salary of Secretaries | 5,500.00 | 5,500.00 |
| Office Expense | 650.00 | 650.00 |
| Governor's Conference | 200.00 | 200.00 |
| Contingent Expenses | 2,500.00 | 2,500.00 |
| Repairs and Replacements | 500.00 | 300.00 |
| TOTAL Governor | \$ 16,850.00 | \$ 16,650.00 |

SECRETARY OF STATE

| | | |
|---------------------------------------|---------------------|---------------------|
| Salary of Secretary of State | \$ 7,000.00 | \$ 7,000.00 |
| Salaries and Wages of Employees | 47,500.00 | 49,500.00 |
| Office Expense | 3,200.00 | 3,500.00 |
| Travel | 1,000.00 | 1,000.00 |
| Magistrate Bonds | 400.00 | 400.00 |
| Certificate of Origin | 200.00 | 200.00 |
| Dissolution Account | 5,000.00 | 5,000.00 |
| Repairs and Replacements | 1,800.00 | 1,500.00 |
| Departmental Supplies | 26,000.00 | 28,000.00 |
| Equipment | 750.00 | 750.00 |
| TOTAL Secretary of State | \$ 92,850.00 | \$ 96,850.00 |

STATE TREASURER

| | | |
|---------------------------------------|---------------------|---------------------|
| Salary of Treasurer | \$ 5,000.00 | \$ 5,000.00 |
| Salary of Deputy Treasurer | 2,600.00 | 2,600.00 |
| Salaries and Wages of Employees | 8,000.00 | 8,000.00 |
| Office Expense | 2,575.00 | 4,000.00 |
| Travel | 200.00 | 200.00 |
| Repairs and Replacements | 200.00 | 200.00 |
| Equipment | 200.00 | 200.00 |
| TOTAL State Treasurer | \$ 18,775.00 | \$ 20,200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

PERMANENT BUDGET COMMISSION

| | | |
|--|--------------|--------------|
| Salary of Budget Accountant | \$ 5,000.00 | \$ 5,000.00 |
| Salaries and Wages of Employees | 30,024.00 | 31,210.00 |
| Office Expense | 2,370.00 | 1,370.00 |
| Travel | 5,200.00 | 5,200.00 |
| Travel—Commission Members | 300.00 | 300.00 |
| Repairs and Replacements | 785.00 | 285.00 |
| Equipment | 200.00 | 200.00 |
| <hr/> | | |
| TOTAL Permanent Budget Commission | \$ 43,879.00 | \$ 43,565.00 |
| <hr/> | | |

AUDITOR OF ACCOUNTS

| | | |
|---------------------------------------|--------------|--------------|
| Salary of Auditor | \$ 5,000.00 | \$ 5,000.00 |
| Salary of Deputy Auditor | 3,800.00 | 3,800.00 |
| Salaries and Wages of Employees | 11,750.00 | 11,750.00 |
| Office Expense | 750.00 | 750.00 |
| Travel | 200.00 | 200.00 |
| Repairs and Replacements | 700.00 | 700.00 |
| Equipment | 200.00 | 200.00 |
| <hr/> | | |
| TOTAL Auditor of Accounts..... | \$ 22,400.00 | \$ 22,400.00 |
| <hr/> | | |

STATE REVENUE COLLECTOR

| | | |
|------------------------------------|-------------|-------------|
| Salary of Collector | \$ 2,000.00 | \$ 2,000.00 |
| Office Expense | 40.00 | 40.00 |
| Travel | 400.00 | 400.00 |
| <hr/> | | |
| TOTAL State Revenue Collector..... | \$ 2,440.00 | \$ 2,440.00 |
| <hr/> | | |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE INSURANCE COMMISSIONER

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Commissioner | \$ 5,000.00 | \$ 5,000.00 |
| Salaries and Wages of Employees | 4,280.00 | 4,280.00 |
| Office Expense | 700.00 | 700.00 |
| Travel | 650.00 | 650.00 |
| Premiums | 30,000.00 | 30,000.00 |
| Repairs and Replacements | 100.00 | 100.00 |
| Equipment | 100.00 | 100.00 |

TOTAL State Insurance

| | | |
|--------------------|--------------|--------------|
| Commissioner | \$ 40,830.00 | \$ 40,830.00 |
|--------------------|--------------|--------------|

OYSTER REVENUE COLLECTOR

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Collector | \$ 1,800.00 | \$ 1,800.00 |
| Salaries and Wages of Employees | 9,000.00 | 9,000.00 |
| Office Expense | 50.00 | 50.00 |
| Travel | 200.00 | 200.00 |
| Operations | 500.00 | 500.00 |
| Repairs and Replacements | 350.00 | 350.00 |

| | | |
|-------------------------------------|--------------|--------------|
| TOTAL Oyster Revenue Collector..... | \$ 11,900.00 | \$ 11,900.00 |
|-------------------------------------|--------------|--------------|

BOAT INSPECTOR

| | | |
|---------------------------|-------------|-------------|
| Salary of Inspector | \$ 1,150.00 | \$ 1,150.00 |
| Contingent Expenses | 500.00 | 500.00 |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Boat Inspector | \$ 1,650.00 | \$ 1,650.00 |
|----------------------------|-------------|-------------|

STATE TAX DEPARTMENT

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Commissioner | \$ 6,000.00 | \$ 6,000.00 |
| Salaries and Wages of Employees | 134,000.00 | 134,000.00 |
| Office Expense | 27,732.00 | 26,931.00 |
| Travel | 2,050.00 | 2,050.00 |
| Annual Audit | 2,700.00 | 2,700.00 |
| Repairs and Replacements | 4,652.00 | 735.00 |

| | | |
|---------------------------------|--------------|--------------|
| TOTAL State Tax Department..... | \$177,134.00 | \$172,416.00 |
|---------------------------------|--------------|--------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BANK COMMISSIONER

| | | |
|---------------------------------------|--------------|--------------|
| Salary of Commissioner | \$ 5,000.00 | \$ 5,000.00 |
| Salaries and Wages of Employees | 24,100.00 | 24,100.00 |
| Office Expense | 1,880.00 | 1,880.00 |
| Travel | 4,800.00 | 4,800.00 |
| Repairs and Replacements | 400.00 | 400.00 |
| <hr/> | | |
| TOTAL State Bank | | |
| Commissioner | \$ 36,180.00 | \$ 36,180.00 |

DELAWARE LIQUOR COMMISSION

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 64,510.00 | \$ 64,510.00 |
| Office Expense | 12,500.00 | 12,500.00 |
| Travel | 8,000.00 | 8,000.00 |
| Operations | 150.00 | 150.00 |
| Repairs and Replacements | 2,200.00 | 2,200.00 |
| Equipment | 300.00 | 300.00 |
| <hr/> | | |
| TOTAL Delaware | | |
| Liquor Commission | \$ 87,660.00 | \$ 87,660.00 |

DELAWARE RACING COMMISSION

| | | |
|---------------------------------------|--------------|--------------|
| Salaries of Commissioners | \$ 3.00 | \$ 3.00 |
| Salaries and Wages of Employees | 1,200.00 | 1,200.00 |
| Office Expense | 2,647.00 | 1,797.00 |
| Travel | 1,000.00 | 1,000.00 |
| Repairs and Replacements | 150.00 | |
| <hr/> | | |
| TOTAL Delaware | | |
| Racing Commission | \$ 5,000.00 | \$ 4,000.00 |
| TOTAL EXECUTIVE | | |
| AND FINANCIAL | \$557,548.00 | \$556,741.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

JUDICIAL AND LEGAL

COURT OF CHANCERY

| | | |
|---------------------------------------|--------------|--------------|
| Salary of Chancellor | \$ 10,500.00 | \$ 10,500.00 |
| Salary of Vice-Chancellor | 8,500.00 | 8,500.00 |
| Chancellor for Reporting | 200.00 | 200.00 |
| Salaries and Wages of Employees | 15,910.00 | 15,910.00 |
| Office Expense | 600.00 | 600.00 |
| Chancellor's Report | 3,200.00 | 3,200.00 |
| Repairs and Replacements | 600.00 | 400.00 |

| | | |
|--------------------------------------|---------------------|---------------------|
| TOTAL Court of Chancery | \$ 39,510.00 | \$ 39,310.00 |
|--------------------------------------|---------------------|---------------------|

DEPARTMENT OF JUSTICE

| | | |
|---------------------------------------|--------------|--------------|
| Salary of Chief Justice | \$ 10,500.00 | \$ 10,500.00 |
| Salaries of Associate Judges | 40,000.00 | 40,000.00 |
| Kent County Judge for Reporting | 200.00 | 200.00 |
| Reports | 2,000.00 | 2,000.00 |
| Salary, Clerk of Supreme Court | 300.00 | 300.00 |
| Travel | 3,000.00 | 3,000.00 |

| | | |
|---|---------------------|---------------------|
| TOTAL Department of Justice..... | \$ 56,000.00 | \$ 56,000.00 |
|---|---------------------|---------------------|

COMMON PLEAS COURT—KENT COUNTY

| | | |
|-----------------------|-------------|-------------|
| Salary of Judge | \$ 5,000.00 | \$ 5,000.00 |
|-----------------------|-------------|-------------|

| | | |
|---|--------------------|--------------------|
| TOTAL Common Pleas Court—Kent County | \$ 5,000.00 | \$ 5,000.00 |
|---|--------------------|--------------------|

STATE LIBRARIAN

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Librarian | \$ 2,000.00 | \$ 2,000.00 |
| Salaries and Wages of Employees | 1,150.00 | 1,150.00 |
| Office Expense | 150.00 | 150.00 |
| Repairs and Replacements | 200.00 | 200.00 |
| Equipment | 1,500.00 | 1,500.00 |

| | | |
|------------------------------------|--------------------|--------------------|
| TOTAL State Librarian | \$ 5,000.00 | \$ 5,000.00 |
|------------------------------------|--------------------|--------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

ATTORNEY GENERAL

| | | |
|---------------------------------------|---------------------|---------------------|
| Salary of Attorney General | \$ 6,000.00 | \$ 6,000.00 |
| Salary of Chief Deputy | 3,000.00 | 3,000.00 |
| Salary of Deputy—New Castle County.. | 3,000.00 | 3,000.00 |
| Salary of Deputy—Kent County..... | 2,500.00 | 2,500.00 |
| Salary of Deputy—Sussex County | 2,500.00 | 2,500.00 |
| Salaries and Wages of Employees | 4,760.00 | 4,760.00 |
| Salaries of State Detectives | 7,200.00 | 7,200.00 |
| Office Expense | 1,500.00 | 1,500.00 |
| Travel | 1,000.00 | 1,000.00 |
| Operations | 2,100.00 | 2,100.00 |
| Repairs and Replacements | 1,000.00 | 1,000.00 |
| Equipment | 200.00 | 200.00 |
| TOTAL Attorney General | \$ 34,760.00 | \$ 34,760.00 |

ATTORNEY GENERAL

REQUISITION EXPENSES

| | | |
|---------------------------------------|-----------|-----------|
| Salaries and Wages of Employees | \$ 180.00 | \$ 180.00 |
| Travel | 720.00 | 720.00 |

TOTAL Requisition Expenses \$ 900.00 \$ 900.00

TOTAL JUDICIAL

AND LEGAL \$141,170.00 \$140,970.00

DEBT SERVICE—FIXED OBLIGATIONS

INTEREST

| | | |
|---|-------------|-------------|
| Women's College Bonds—Loan of 1925.. | \$ 5,312.50 | \$ 5,100.00 |
| State Highway Refunding Bonds— 2½% | 25,000.00 | 22,500.00 |
| State Highway Refunding Bonds— 2¾% | 17,875.00 | 17,875.00 |
| Improvement Bonds—2½% | 2,858.13 | 2,539.37 |
| Improvement Bonds—1937—1½% | 112.50 | |
| State Building Bonds—1937—2% | 3,250.00 | 2,950.00 |
| State Highway Loan—1939—1½% | 16,030.63 | 15,526.87 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|-----------------------------------|--------------|--------------|
| Public Improvement Bonds—1941— | | |
| 1 1/10% | 9,790.00 | 9,240.00 |
| Public Improvement Bonds of 1946— | | |
| Krebs | 675.00 | 600.00 |
| Public Improvement Bonds of 1946— | | |
| Rose Hill-Minquadale | 405.00 | 360.00 |
| TOTAL Fixed Obligations— | | |
| Interest | \$ 81,308.76 | \$ 76,691.24 |

REDEMPTIONS

| | | |
|--------------------------------------|--------------|--------------|
| Women's College Bonds—Loan 1925..... | \$ 5,000.00 | \$ 5,000.00 |
| State Highway Refunding Bonds— | | |
| 2 1/2% | 100,000.00 | 100,000.00 |
| Improvement Bonds—2 1/8% | 15,000.00 | 15,000.00 |
| Improvement Bonds—1937 | 15,000.00 | |
| State Building Bonds—1937 | 15,000.00 | 15,000.00 |
| State Highway Loan—1939 | 31,000.00 | 31,000.00 |
| Public Improvement Bonds, 1941 | 50,000.00 | 50,000.00 |
| Public Improvement Bonds of 1946— | | |
| Krebs | 10,000.00 | 10,000.00 |
| Public Improvement Bonds of 1946— | | |
| Rose Hill-Minquadale | 6,000.00 | 6,000.00 |
| TOTAL Fixed Obligations— | | |
| Redemptions | \$247,000.00 | \$232,000.00 |

TOTAL DEBT SERVICE\$328,308.76 \$308,691.24

REGULATORY BOARDS

MEDICAL COUNCIL OF DELAWARE

| | | |
|---------------------------------------|-----------|-----------|
| Salary of Secretary | \$ 200.00 | \$ 200.00 |
| Salary of Assistant Secretary | 200.00 | 200.00 |
| Salaries and Wages of Employees | 125.00 | 125.00 |
| Office Expense | 750.00 | 750.00 |
| Travel | 425.00 | 425.00 |

TOTAL Medical Council
of Delaware\$ 1,700.00 \$ 1,700.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF PHARMACY

| | | |
|---------------------------------------|-------------|-------------|
| Salaries and Wages of Employees | \$ 3,000.00 | \$ 3,000.00 |
| Office Expense | 400.00 | 400.00 |
| Travel | 1,000.00 | 1,000.00 |

| | | |
|---|--------------------|--------------------|
| TOTAL State Board of Pharmacy... | \$ 4,400.00 | \$ 4,400.00 |
|---|--------------------|--------------------|

STATE BOARD OF DENTAL EXAMINERS

| | | |
|---------------------------------------|-----------|-----------|
| Salary of Members | \$ 120.00 | \$ 120.00 |
| Salary of Secretary-Treasurer | 300.00 | 300.00 |
| Salaries and Wages of Employees | 150.00 | 150.00 |
| Office Expense | 75.00 | 75.00 |
| Travel | 205.00 | 205.00 |

| | | |
|--|------------------|------------------|
| TOTAL State Board of Dental Examiners | \$ 850.00 | \$ 850.00 |
|--|------------------|------------------|

STATE BOARD OF EXAMINERS FOR BARBERS

| | | |
|---------------------------------------|-----------|-----------|
| Salaries and Wages of Employees | \$ 700.00 | \$ 700.00 |
| Office Expense | 50.00 | 50.00 |
| Travel | 40.00 | 40.00 |

| | | |
|---|------------------|------------------|
| TOTAL State Board of Examiners for Barbers | \$ 790.00 | \$ 790.00 |
|---|------------------|------------------|

BOARD OF VETERINARY EXAMINERS

| | | |
|---------------------------------------|----------|----------|
| Salaries and Wages of Employees | \$ 75.00 | \$ 75.00 |
| Office Expense | 50.00 | 50.00 |
| Travel | 75.00 | 75.00 |

| | | |
|--|------------------|------------------|
| TOTAL Board of Veterinary Examiners | \$ 200.00 | \$ 200.00 |
|--|------------------|------------------|

STATE BOARD OF ACCOUNTANCY

| | | |
|---------------------------------------|-----------|-----------|
| Salaries and Wages of Employees | \$ 200.00 | \$ 200.00 |
| Office Expense | 225.00 | 225.00 |
| Travel | 25.00 | 25.00 |

| | | |
|---|------------------|------------------|
| TOTAL State Board of Accountancy | \$ 450.00 | \$ 450.00 |
|---|------------------|------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

BOARD OF EXAMINERS IN OPTOMETRY

| | | |
|--|-----------|-----------|
| Salaries and Wages of Employees | \$ 105.00 | \$ 105.00 |
| Office Expense | 45.00 | 45.00 |
| Travel | 75.00 | 75.00 |
| <hr/> | | |
| TOTAL Board of Examiners in Optometry | \$ 225.00 | \$ 225.00 |

BOARD OF EXAMINERS FOR REGISTERED NURSES

| | | |
|---|-------------|-------------|
| Salaries and Wages of Employees | \$ 1,500.00 | \$ 1,500.00 |
| Office Expense | 1,200.00 | 1,100.00 |
| Travel | 150.00 | 150.00 |
| <hr/> | | |
| TOTAL Board of Examiners for Registered Nurses | \$ 2,850.00 | \$ 2,750.00 |

STATE BOARD OF EXAMINERS IN UNDERTAKING

| | | |
|--|-----------|-----------|
| Salaries and Wages of Employees | \$ 400.00 | \$ 400.00 |
| Office Expense | 97.00 | 97.00 |
| Travel | 150.00 | 150.00 |
| <hr/> | | |
| TOTAL State Board of Examiners in Undertaking | \$ 647.00 | \$ 647.00 |

DELAWARE REAL ESTATE COMMISSION

| | | |
|--|-------------|-------------|
| Salary of Commissioners | \$ 510.00 | \$ 510.00 |
| Salaries and Wages of Employees | 425.00 | 425.00 |
| Office Expense | 207.00 | 207.00 |
| Travel | 54.00 | 54.00 |
| <hr/> | | |
| TOTAL Delaware Real Estate Commission | \$ 1,196.00 | \$ 1,196.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF EXAMINERS AND REGISTRATION OF ARCHITECTS

| | | |
|---------------------------------------|-----------|-----------|
| Salaries and Wages of Employees | \$ 200.00 | \$ 200.00 |
| Office Expense | 400.00 | 400.00 |
| Travel | 350.00 | 350.00 |
| Equipment | 50.00 | 50.00 |

| | | |
|---|--------------------|--------------------|
| TOTAL State Board of Examiners and Registration of Architects..... | \$ 1,000.00 | \$ 1,000.00 |
|---|--------------------|--------------------|

STATE ATHLETIC COMMISSION

| | | |
|---------------------------------------|-------------|-------------|
| Salaries and Wages of Employees | \$ 1,050.00 | \$ 1,050.00 |
| Office Expense | 357.00 | 357.00 |
| Travel | 125.00 | 125.00 |

| | | |
|--|--------------------|--------------------|
| TOTAL State Athletic Commission | \$ 1,532.00 | \$ 1,532.00 |
|--|--------------------|--------------------|

ATLANTIC STATE'S MARINE FISHERIES COMMISSION

| | | |
|------------|-----------|-----------|
| Dues | \$ 500.00 | \$ 500.00 |
|------------|-----------|-----------|

| | | |
|---|------------------|------------------|
| TOTAL Atlantic State's Marine Fisheries Commission | \$ 500.00 | \$ 500.00 |
|---|------------------|------------------|

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS

| | | |
|---------------------------------------|-----------|-----------|
| Salaries and Wages of Employees | \$ 720.00 | \$ 720.00 |
| Office Expense | 815.00 | 815.00 |
| Travel | 275.00 | 275.00 |

| | | |
|---|--------------------|--------------------|
| TOTAL Board of Registration for Professional Engineers and Surveyors | \$ 1,810.00 | \$ 1,810.00 |
|---|--------------------|--------------------|

| | | |
|--|---------------------|---------------------|
| TOTAL REGULATORY BOARDS | \$ 18,150.00 | \$ 18,050.00 |
|--|---------------------|---------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

ENFORCEMENT BOARDS

LABOR COMMISSION OF DELAWARE

| | | |
|---|-------------|-------------|
| Salary of Child Labor Inspector | \$ 2,100.00 | \$ 2,100.00 |
| Salary of Ten-Hour Law Inspector | 1,900.00 | 1,900.00 |
| Salaries and Wages of Employees | 2,565.00 | 2,565.00 |
| Office Expense | 2,035.00 | 2,035.00 |
| Travel | 500.00 | 500.00 |
| Repairs and Replacements | 300.00 | 300.00 |
| <hr/> | | |
| TOTAL Labor Commission of Delaware | \$ 9,400.00 | \$ 9,400.00 |

PAROLE BOARD

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Parole Officer | \$ 2,600.00 | \$ 2,600.00 |
| Salary of Parole Members | 480.00 | 480.00 |
| Salaries and Wages of Employees | 85.00 | 85.00 |
| Office Expense | 235.00 | 235.00 |
| Travel | 800.00 | 800.00 |
| <hr/> | | |
| TOTAL Parole Board | \$ 4,200.00 | \$ 4,200.00 |

OUT-OF-STATE PAROLE SUPERVISION

| | | |
|--|-----------|-----------|
| Expense of Administration | \$ 200.00 | \$ 200.00 |
| <hr/> | | |
| TOTAL Out-of-State Parole Supervision | \$ 200.00 | \$ 200.00 |

BOARD OF PARDONS

| | | |
|-------------------------------------|-----------|-----------|
| Salary of Lieutenant-Governor | \$ 144.00 | \$ 144.00 |
| Witness Fees | 100.00 | 100.00 |
| Travel | 50.00 | 50.00 |
| <hr/> | | |
| TOTAL Board of Pardons | \$ 294.00 | \$ 294.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

BOARD OF BOILER RULES

| | | |
|---------------------------------------|-------------|-------------|
| Salaries and Wages of Employees | \$ 4,950.00 | \$ 4,950.00 |
| Office Expense | 332.00 | 332.00 |
| Travel | 750.00 | 750.00 |
| <hr/> | | |
| TOTAL Board of Boiler Rules..... | \$ 6,032.00 | \$ 6,032.00 |
| <hr/> | | |

REGULATORS OF WEIGHTS AND MEASURES

| | | |
|---|-------------|-------------|
| Salaries and Wages of Employees | \$ 4,700.00 | \$ 4,700.00 |
| Office Expense | 50.00 | 50.00 |
| Travel | 1,925.00 | 1,925.00 |
| Operations | 250.00 | 250.00 |
| <hr/> | | |
| TOTAL Regulators of Weights and Measures | \$ 6,925.00 | \$ 6,925.00 |
| <hr/> | | |

INDUSTRIAL ACCIDENT BOARD

| | | |
|--|--------------|--------------|
| Salary of Members | \$ 9,600.00 | \$ 9,600.00 |
| Salaries and Wages of Employees | 7,900.00 | 7,900.00 |
| Office Expense | 4,960.00 | 4,480.00 |
| Travel | 1,000.00 | 1,000.00 |
| Repairs and Replacements | 40.00 | 40.00 |
| <hr/> | | |
| TOTAL Industrial Accident Board | \$ 23,500.00 | \$ 23,020.00 |
| <hr/> | | |

NATIONAL GUARD—ADJUTANT GENERAL

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Adjutant General | \$ 2,700.00 | \$ 2,700.00 |
| Salary of Secretary | 1,800.00 | 1,800.00 |
| Salary of Care Taker—Bethany Beach... | 1,500.00 | 1,500.00 |
| Salary of Executive Officer | 2,400.00 | 2,400.00 |
| Salaries and Wages of Employees | 15,575.00 | 15,575.00 |
| Office Expense | 1,500.00 | 1,500.00 |
| Travel | 1,000.00 | 1,000.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|--------------------------------|-----------|-----------|
| Operations | 10,000.00 | 10,000.00 |
| Repairs and Replacements | 1,500.00 | 1,000.00 |
| Equipment | 250.00 | 250.00 |

TOTAL National Guard—

| | | |
|------------------------|--------------|--------------|
| Adjutant General | \$ 38,225.00 | \$ 37,725.00 |
|------------------------|--------------|--------------|

TOTAL ENFORCEMENT

| | | |
|--------------|--------------|--------------|
| BOARDS | \$ 88,776.00 | \$ 87,796.00 |
|--------------|--------------|--------------|

DELAWARE STATE EMPLOYEES PENSIONS

ADMINISTRATION

| | | |
|---------------------------------------|-----------|-----------|
| Salaries and Wages of Employees | \$ 500.00 | \$ 500.00 |
| Office Expense | 100.00 | 100.00 |
| Travel | 400.00 | 400.00 |

TOTAL Delaware State Employees

| | | |
|------------------------------|-------------|-------------|
| Pension—Administration | \$ 1,000.00 | \$ 1,000.00 |
|------------------------------|-------------|-------------|

BENEFITS

| | | |
|----------------|--------------|--------------|
| Benefits | \$239,000.00 | \$259,000.00 |
|----------------|--------------|--------------|

TOTAL Delaware State Employees

| | | |
|------------------------|--------------|--------------|
| Pension—Benefits | \$239,000.00 | \$259,000.00 |
|------------------------|--------------|--------------|

| | | |
|-----------------------------|---------------------|---------------------|
| TOTAL PENSIONS | \$240,000.00 | \$260,000.00 |
|-----------------------------|---------------------|---------------------|

MISCELLANEOUS

CUSTODIAN

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Custodian | \$ 2,600.00 | \$ 2,600.00 |
| Salaries and Wages of Employees | 23,500.00 | 23,500.00 |
| Office Expense | 400.00 | 400.00 |
| Operations | 15,000.00 | 15,000.00 |
| Repairs and Replacements | 5,000.00 | 5,000.00 |
| Equipment | 1,000.00 | 1,000.00 |

| | | |
|------------------------------|---------------------|---------------------|
| TOTAL Custodian | \$ 47,500.00 | \$ 47,500.00 |
|------------------------------|---------------------|---------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BUILDING AND GROUNDS COMMISSION

| | | |
|--|--------------------|--------------------|
| Operations | \$ 1,000.00 | \$ 1,000.00 |
| TOTAL State Building and Grounds Commission | \$ 1,000.00 | \$ 1,000.00 |

FIRE COMPANIES (FROM TAX RECEIPTS)

| | | |
|---|---------------------|---------------------|
| Insurance Tax | \$ 60,000.00 | \$ 60,000.00 |
| TOTAL Fire Companies (From Tax Receipts) | \$ 60,000.00 | \$ 60,000.00 |

STATE LIBRARY COMMISSION

| | | |
|---|---------------------|---------------------|
| Salaries and Wages of Employees | \$ 7,275.00 | \$ 7,275.00 |
| Office Expense | 470.00 | 470.00 |
| Travel | 900.00 | 900.00 |
| Repairs and Replacements | 1,250.00 | 2,150.00 |
| Equipment | 3,075.00 | 3,075.00 |
| TOTAL State Library Commission | \$ 12,970.00 | \$ 13,870.00 |

PUBLIC ARCHIVES COMMISSION

| | | |
|---|---------------------|---------------------|
| Salaries and Wages of Employees | \$ 13,000.00 | \$ 13,000.00 |
| Office Expense | 1,185.00 | 1,185.00 |
| Travel | 600.00 | 600.00 |
| Operations | 1,200.00 | 1,200.00 |
| Repairs and Replacements | 75.00 | 75.00 |
| Equipment | 825.00 | 825.00 |
| Permanent Improvements | 300.00 | 300.00 |
| TOTAL Public Archives Commission | \$ 17,185.00 | \$ 17,185.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

PORTRAIT COMMISSION OF DELAWARE

| | | |
|--|--------------|--------------|
| Office Expense | \$ 25.00 | \$ 25.00 |
| Salaries and Wages of Employees | 50.00 | 50.00 |
| Repairs and Replacements | 225.00 | 225.00 |
| Equipment | 400.00 | 400.00 |
| <hr/> | | |
| TOTAL Portrait Commission of Delaware | \$ 700.00 | \$ 700.00 |
| <hr/> | | |
| TOTAL MISCELLANEOUS | \$139,355.00 | \$140,255.00 |
| <hr/> | | |

ROADS: MAINTENANCE, POLICE, ETC.

STATE HIGHWAY DEPARTMENT—ADMINISTRATION

| | | |
|--|--------------|--------------|
| Salaries and Wages of Employees | \$ 31,000.00 | \$ 31,000.00 |
| Office Expense | 8,000.00 | 8,000.00 |
| Travel | 2,000.00 | 2,000.00 |
| Operations | 14,000.00 | 14,000.00 |
| Repairs and Replacements | 3,500.00 | 3,500.00 |
| Equipment | 200.00 | 1,500.00 |
| <hr/> | | |
| TOTAL State Highway Department—Administration | \$ 58,700.00 | \$ 60,000.00 |
| <hr/> | | |

MOTOR VEHICLE DEPARTMENT

| | | |
|---|--------------|--------------|
| Salaries and Wages of Employees | \$130,000.00 | \$130,000.00 |
| Office Expense | 17,000.00 | 17,000.00 |
| Travel | 2,000.00 | 2,000.00 |
| Operations | 36,600.00 | 36,600.00 |
| Repairs and Replacements | 7,400.00 | 7,400.00 |
| Equipment | 1,500.00 | 1,500.00 |
| <hr/> | | |
| TOTAL Motor Vehicle Department | \$194,500.00 | \$194,500.00 |
| <hr/> | | |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE POLICE DIVISION

| | | |
|--|---------------------|---------------------|
| Salaries and Wages of Employees | \$328,000.00 | \$328,000.00 |
| Office Expense | 15,000.00 | 15,000.00 |
| Travel | 4,500.00 | 4,500.00 |
| Operations | 81,000.00 | 81,000.00 |
| Repairs and Replacements | 45,000.00 | 45,000.00 |
| Equipment | 10,400.00 | 10,400.00 |
| TOTAL State Police Division | \$483,900.00 | \$483,900.00 |

MOTOR FUEL TAX DIVISION

| | | |
|--|---------------------|---------------------|
| Salaries and Wages of Employees | \$ 8,500.00 | \$ 8,500.00 |
| Office Expense | 1,000.00 | 1,000.00 |
| Travel | 1,000.00 | 1,000.00 |
| Repairs and Replacements | 100.00 | 100.00 |
| Equipment | 150.00 | 150.00 |
| TOTAL Motor Fuel Tax Division | \$ 10,750.00 | \$ 10,750.00 |

OUTDOOR ADVERTISING

| | | |
|--|--------------------|--------------------|
| Salaries and Wages of Employees | \$ 1,300.00 | \$ 1,300.00 |
| Office Expense | 75.00 | 75.00 |
| Travel | 575.00 | 575.00 |
| Operations | 50.00 | 50.00 |
| TOTAL Outdoor Advertising | \$ 2,000.00 | \$ 2,000.00 |

MAINTENANCE

| | | |
|--------------------------------------|-----------------------|-----------------------|
| Salaries and Wages of Employees..... | \$ 800,000.00 | \$ 800,000.00 |
| Office Expense | 15,000.00 | 15,000.00 |
| Operations | 225,000.00 | 225,000.00 |
| Repairs and Replacements | 500,000.00 | 450,000.00 |
| Equipment | 20,000.00 | 75,000.00 |
| TOTAL Maintenance | \$1,560,000.00 | \$1,565,000.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

HIGHWAY CONSTRUCTION

| | | |
|--|-----------------------|-----------------------|
| Operations | \$ 900,000.00 | \$ 800,000.00 |
| Indian River Inlet Improvement..... | 50,000.00 | 20,000.00 |
| TOTAL Highway Construction... | \$ 950,000.00 | \$ 820,000.00 |
| TOTAL ROADS: MAINTENANCE, POLICE, ETC. | \$3,259,850.00 | \$3,136,150.00 |

HEALTH

STATE BOARD OF HEALTH

| | | |
|---|---------------------|---------------------|
| Salary of New Employees | \$ 20,000.00 | \$ 20,000.00 |
| Salaries and Wages of Employees | 100,000.00 | 100,000.00 |
| Office Expense | 11,000.00 | 11,000.00 |
| Travel | 7,000.00 | 7,000.00 |
| Operations | 8,000.00 | 8,000.00 |
| Repairs and Replacements | 3,000.00 | 10,000.00 |
| Equipment | 600.00 | 600.00 |
| TOTAL State Board of Health..... | \$149,600.00 | \$156,600.00 |
| TOTAL HEALTH | \$149,600.00 | \$156,600.00 |

AGRICULTURE, FORESTRY, ETC.

STATE BOARD OF AGRICULTURE—ADMINISTRATION

| | | |
|--|---------------------|---------------------|
| Salaries and Wages of Employees | \$ 9,000.00 | \$ 9,000.00 |
| Office Expense | 850.00 | 850.00 |
| Travel | 1,000.00 | 1,000.00 |
| Publishing and Reprints of "Delaware Booklet" | 5,000.00 | 6,500.00 |
| Operations | 25.00 | 25.00 |
| Repairs and Replacements | 350.00 | 200.00 |
| Equipment | 400.00 | 100.00 |
| TOTAL Administration | \$ 16,625.00 | \$ 17,675.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

PENINSULA HORTICULTURAL SOCIETY

| | | |
|--|-----------|-----------|
| Office Expense | \$ 725.00 | \$ 725.00 |
| Travel | 50.00 | 50.00 |
| Operations | 125.00 | 125.00 |
| <hr/> | | |
| TOTAL Peninsula Horticultural Society | \$ 900.00 | \$ 900.00 |
| <hr/> | | |

STATE LABORATORY

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 21,000.00 | \$ 21,000.00 |
| Office Expense | 1,800.00 | 1,800.00 |
| Travel | 1,000.00 | 1,000.00 |
| Operations | 800.00 | 800.00 |
| Repairs and Replacements | 1,400.00 | 1,050.00 |
| Equipment | 410.00 | 450.00 |
| <hr/> | | |
| TOTAL State Laboratory | \$ 26,410.00 | \$ 26,100.00 |
| <hr/> | | |

BUREAU OF MARKETS

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 7,700.00 | \$ 7,700.00 |
| Office Expense | 1,250.00 | 1,250.00 |
| Travel | 800.00 | 800.00 |
| Repairs and Replacements | 1,000.00 | 200.00 |
| Equipment | 150.00 | 50.00 |
| <hr/> | | |
| TOTAL Bureau of Markets | \$ 10,900.00 | \$ 10,000.00 |
| <hr/> | | |

POULTRY DEPARTMENT

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 27,500.00 | \$ 27,500.00 |
| Office Expense | 1,200.00 | 1,200.00 |
| Travel | 5,300.00 | 5,300.00 |
| Operations | 3,500.00 | 3,500.00 |
| Repairs and Replacements | 1,025.00 | 225.00 |
| Equipment | 500.00 | 1,500.00 |
| <hr/> | | |
| TOTAL Poultry Department | \$ 39,025.00 | \$ 39,225.00 |
| <hr/> | | |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

LIVESTOCK SANITATION AND MASTITIS CONTROL

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 32,200.00 | \$ 32,200.00 |
| Office Expense | 1,300.00 | 1,300.00 |
| Travel | 1,900.00 | 1,900.00 |
| Operations | 12,300.00 | 12,300.00 |
| Repairs and Replacements | 300.00 | 1,000.00 |
| Equipment | 450.00 | |

| | | |
|--|---------------------|---------------------|
| TOTAL Livestock Sanitation and Mastitis Control | \$ 48,450.00 | \$ 48,700.00 |
|--|---------------------|---------------------|

CROP IMPROVEMENT ASSOCIATION

| | | |
|---------------------------------------|----------|----------|
| Salaries and Wages of Employees | \$ 45.00 | \$ 45.00 |
| Office Expense | 55.00 | 55.00 |
| Operations | 350.00 | 350.00 |

| | | |
|---|------------------|------------------|
| TOTAL Crop Improvement Association | \$ 450.00 | \$ 450.00 |
|---|------------------|------------------|

PLANT PATHOLOGIST

| | | |
|---------------------------------------|-------------|-------------|
| Salaries and Wages of Employees | \$ 7,000.00 | \$ 7,000.00 |
| Office Expense | 550.00 | 550.00 |
| Travel | 2,000.00 | 2,000.00 |
| Operations | 300.00 | 300.00 |
| Repairs and Replacements | 200.00 | 800.00 |
| Equipment | 200.00 | 200.00 |

| | | |
|--------------------------------------|---------------------|---------------------|
| TOTAL Plant Pathologist | \$ 10,250.00 | \$ 10,850.00 |
|--------------------------------------|---------------------|---------------------|

JAPANESE BEETLE CONTROL

| | | |
|---------------------------------------|-------------|-------------|
| Salaries and Wages of Employees | \$ 5,500.00 | \$ 5,500.00 |
| Office Expense | 25.00 | 25.00 |
| Travel | 600.00 | 600.00 |
| Operations | 50.00 | 50.00 |

| | | |
|---|--------------------|--------------------|
| TOTAL Japanese Beetle Control..... | \$ 6,175.00 | \$ 6,175.00 |
|---|--------------------|--------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

FARM PRODUCTS INSPECTION AND GRADING LAWS

| | | |
|--|--------------------|--------------------|
| Salaries and Wages of Employees | \$ 6,550.00 | \$ 6,550.00 |
| Travel | 1,800.00 | 1,800.00 |
| Operations | 100.00 | 100.00 |
| Equipment | 50.00 | 50.00 |
| TOTAL Farm Products Inspection and Grading Laws | \$ 8,500.00 | \$ 8,500.00 |

SOIL CONSERVATION COMMISSION

| | | |
|---|------------------|------------------|
| Salaries and Wages of Employees | \$ 100.00 | \$ 100.00 |
| Office Expense | 100.00 | 100.00 |
| Travel | 500.00 | 500.00 |
| TOTAL Soil Conservation Commission | \$ 700.00 | \$ 700.00 |

ANTI-HOG-CHOLERA SERUM

| | | |
|--|--------------------|--------------------|
| Operations | \$ 6,000.00 | \$ 6,000.00 |
| TOTAL Anti-Hog-Cholera-Serum..... | \$ 6,000.00 | \$ 6,000.00 |

| | | |
|---|---------------------|---------------------|
| TOTAL STATE BOARD OF AGRICULTURE | \$174,385.00 | \$175,275.00 |
|---|---------------------|---------------------|

STATE FORESTRY DEPARTMENT

ADMINISTRATION

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 19,000.00 | \$ 20,000.00 |
| Office Expense | 1,000.00 | 1,000.00 |
| Travel | 1,500.00 | 1,500.00 |
| Operations | 550.00 | 550.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|-----------------------------------|---------------------|---------------------|
| Repairs and Replacements | 1,525.00 | 800.00 |
| Equipment | 385.00 | 275.00 |
| Equipment Sheds | 1,000.00 | 1,000.00 |
| TOTAL Administration | \$ 24,960.00 | \$ 25,125.00 |

SPECIAL FIRE PROTECTION AND EXTINCTION

| | | |
|---|---------------------|---------------------|
| Salaries and Wages of Employees | \$ 7,780.00 | \$ 7,780.00 |
| Office Expense | 750.00 | 750.00 |
| Travel | 600.00 | 600.00 |
| Operations | 600.00 | 600.00 |
| Repairs and Replacements | 950.00 | 950.00 |
| Equipment | 1,000.00 | 1,000.00 |
| Permanent Improvements | 100.00 | 100.00 |
| TOTAL Special Fire Protection and Extinction | \$ 11,780.00 | \$ 11,780.00 |

| | | |
|--|---------------------|---------------------|
| TOTAL STATE FORESTRY DEPARTMENT | \$ 36,740.00 | \$ 36,905.00 |
|--|---------------------|---------------------|

GAME AND FISH COMMISSION

| | | |
|---|---------------------|---------------------|
| Salary of Commissioners | \$ 900.00 | \$ 900.00 |
| Salary of Chief Warden | 2,780.00 | 2,780.00 |
| Salaries and Wages of Employees | 26,080.00 | 26,080.00 |
| Office Expense | 2,500.00 | 2,500.00 |
| Travel | 12,000.00 | 12,000.00 |
| Operations | 18,950.00 | 18,950.00 |
| Repairs and Replacements | 1,825.00 | 1,680.00 |
| Equipment | 600.00 | 600.00 |
| TOTAL Game and Fish Commission | \$ 65,635.00 | \$ 65,490.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

UNIVERSITY OF DELAWARE

AGRICULTURAL EXPERIMENTAL SUB-STATION

| | | |
|---|--------------|--------------|
| Salaries and Wages of Employees | \$ 6,000.00 | \$ 6,000.00 |
| Operations | 4,000.00 | 4,000.00 |
| <hr/> | | |
| TOTAL University of Delaware— Agricultural Experimental Sub-Station | \$ 10,000.00 | \$ 10,000.00 |
| <hr/> | | |
| TOTAL AGRICULTURE, FORESTRY, ETC. | \$286,760.00 | \$287,670.00 |
| <hr/> | | |

PUBLIC WELFARE

AGENCIES

GOVERNOR

| | | |
|--|--------------|--------------|
| Board and Tuition—Deaf, Dumb and Idiotic Children | \$ 22,000.00 | \$ 22,000.00 |
| <hr/> | | |
| TOTAL Governor | \$ 22,000.00 | \$ 22,000.00 |
| <hr/> | | |

STATE BOARD OF WELFARE*

| | | |
|---------------------------------------|--------------|--------------|
| Direct Care | \$ 98,000.00 | \$100,000.00 |
| Salaries and Wages of Employees | 60,000.00 | 62,000.00 |
| Office Expense | 9,000.00 | 9,500.00 |
| Travel | 4,800.00 | 4,800.00 |
| Operations—Pension Grants | 88,000.00 | 88,000.00 |
| Repairs and Replacements | 3,700.00 | 4,500.00 |
| Equipment | 500.00 | 500.00 |
| <hr/> | | |
| TOTAL State Board of Welfare..... | \$264,000.00 | \$269,300.00 |
| <hr/> | | |

*This Includes "Aid For Dependent Children"

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OLD AGE WELFARE COMMISSION—PENSION ACCOUNT

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 42,000.00 | \$ 45,000.00 |
| Office Expense | 6,000.00 | 6,000.00 |
| Travel | 3,700.00 | 3,700.00 |
| Operations | 179,300.00 | 176,300.00 |
| Repairs and Replacements | 1,000.00 | 1,000.00 |
| <hr/> | | |
| TOTAL Old Age Welfare | | |
| Commission—Pension Account | \$232,000.00 | \$232,000.00 |
| <hr/> | | |

INSTITUTIONS

STATE WELFARE HOME

| | | |
|--------------------------------|--------------|--------------|
| Operations | \$103,000.00 | \$103,000.00 |
| <hr/> | | |
| TOTAL State Welfare Home | \$103,000.00 | \$103,000.00 |
| <hr/> | | |

DELAWARE STATE HOSPITAL

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$400,000.00 | \$400,000.00 |
| Office Expense | 6,000.00 | 6,000.00 |
| Travel | 5,000.00 | 5,000.00 |
| Operations | 250,000.00 | 250,000.00 |
| Repairs and Replacements | 29,000.00 | 29,000.00 |
| <hr/> | | |
| TOTAL Delaware State Hospital..... | \$690,000.00 | \$690,000.00 |
| <hr/> | | |

DELAWARE COMMISSION FOR THE FEEBLE-MINDED

| | | |
|---------------------------------------|-------------|-------------|
| Salary of Resident Physician | \$ 5,000.00 | \$ 5,000.00 |
| Salaries and Wages of Employees | 115,000.00 | 115,000.00 |
| Office Expense | 1,500.00 | 1,500.00 |
| Travel | 3,000.00 | 3,000.00 |
| Blind Instructor | 1,800.00 | 1,800.00 |
| Operations | 115,000.00 | 115,000.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|--------------------------------|----------|-----------|
| Repairs and Replacements | 6,000.00 | 18,000.00 |
| Equipment | 5,000.00 | 3,000.00 |

| | | |
|--|---------------------|---------------------|
| TOTAL Delaware Commission for the Feeble-Minded | \$252,300.00 | \$262,300.00 |
|--|---------------------|---------------------|

FERRIS SCHOOL FOR BOYS

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 65,000.00 | \$ 65,000.00 |
| Office Expense | 2,500.00 | 2,500.00 |
| Travel | 4,500.00 | 4,500.00 |
| Operations | 61,800.00 | 61,800.00 |
| Repairs and Replacements | 20,000.00 | 20,000.00 |
| Equipment | 5,000.00 | 5,000.00 |

| | | |
|--|---------------------|---------------------|
| TOTAL Ferris School for Boys..... | \$158,800.00 | \$158,800.00 |
|--|---------------------|---------------------|

KRUSE SCHOOL

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 22,850.00 | \$ 22,850.00 |
| Office Expense | 1,110.00 | 1,110.00 |
| Travel | 978.00 | 978.00 |
| Operations | 20,170.00 | 20,170.00 |
| Repairs and Replacements | 3,900.00 | 4,060.00 |
| Equipment | 500.00 | 500.00 |

| | | |
|---------------------------------|---------------------|---------------------|
| TOTAL Kruse School | \$ 49,508.00 | \$ 49,668.00 |
|---------------------------------|---------------------|---------------------|

STATE BOARD OF HEALTH—EDGEWOOD SANATORIUM

| | | |
|---------------------------------------|-------------|-------------|
| Salary of New Employees | \$ 5,000.00 | \$ 5,000.00 |
| Salaries and Wages of Employees | 24,300.00 | 24,300.00 |
| Office Expense | 250.00 | 250.00 |
| Travel | 330.00 | 330.00 |
| Operations | 24,000.00 | 24,000.00 |
| Repairs and Replacements | 500.00 | 500.00 |
| Equipment | 400.00 | 400.00 |

| | | |
|---|---------------------|---------------------|
| TOTAL State Board of Health— Edgewood Sanatorium | \$ 54,780.00 | \$ 54,780.00 |
|---|---------------------|---------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE BOARD OF HEALTH—BRANDYWINE SANATORIUM

| | | |
|---|----------------|----------------|
| Salary of New Employees | \$ 7,500.00 | \$ 7,500.00 |
| Salaries and Wages of Employees | 85,000.00 | 85,000.00 |
| Office Expense | 2,800.00 | 2,800.00 |
| Travel | 1,200.00 | 1,200.00 |
| Operations | 85,000.00 | 85,000.00 |
| Repairs and Replacements | 6,000.00 | 6,000.00 |
| Equipment | 400.00 | 400.00 |
| <hr/> | | |
| TOTAL State Board of Health— Brandywine Sanatorium | \$187,900.00 | \$187,900.00 |
| <hr/> | | |
| TOTAL PUBLIC WELFARE..... | \$2,014,288.00 | \$2,029,748.00 |

GRANTS-IN-AID

HISTORICAL SOCIETY OF DELAWARE

| | | |
|---|-----------|-----------|
| Operations | \$ 300.00 | \$ 300.00 |
| <hr/> | | |
| TOTAL Historical Society of Delaware | \$ 300.00 | \$ 300.00 |

LEWES MEMORIAL COMMISSION

| | | |
|--|-------------|-------------|
| Salaries and Wages of Employees | \$ 1,500.00 | \$ 1,500.00 |
| Office Expense | 50.00 | 50.00 |
| Travel | 100.00 | 100.00 |
| Operations | 200.00 | 200.00 |
| Repairs and Replacements | 100.00 | 100.00 |
| <hr/> | | |
| TOTAL Lewes Memorial Commission | \$ 1,950.00 | \$ 1,950.00 |
| <hr/> | | |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

DELAWARE DAY COMMISSION

| | | |
|---|-----------------------|-----------------------|
| Operations | \$ 200.00 | \$ 200.00 |
| TOTAL Delaware Day Commission | \$ 200.00 | \$ 200.00 |
| TOTAL GRANTS-IN-AID | \$ 2,450.00 | \$ 2,450.00 |
| TOTAL STATE AGENCIES (APPROPRIATION ACT) | \$7,240,880.76 | \$7,169,746.24 |

EDUCATION

UNIVERSITY OF DELAWARE

ADMINISTRATION

| | | |
|---------------------------------------|---------------------|---------------------|
| Salaries and Wages of Employees | \$393,350.00 | \$393,350.00 |
| Office Expense | 5,000.00 | 5,000.00 |
| Operations | 60,000.00 | 60,000.00 |
| Repairs and Replacements | 35,000.00 | 35,000.00 |
| Equipment | 25,000.00 | 25,000.00 |
| TOTAL Administration | \$518,350.00 | \$518,350.00 |

CHAIR OF HISTORY

| | | |
|---------------------------------------|--------------------|--------------------|
| Salaries and Wages of Employees | \$ 2,500.00 | \$ 2,500.00 |
| TOTAL Chair of History | \$ 2,500.00 | \$ 2,500.00 |

CHAIR OF PHYSICAL EDUCATION

| | | |
|--|--------------------|--------------------|
| Salary Chair of Physical Education | \$ 4,250.00 | \$ 4,250.00 |
| Operations | 250.00 | 250.00 |
| TOTAL Chair of Physical Education | \$ 4,500.00 | \$ 4,500.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

SUMMER SCHOOL FOR TEACHERS

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 10,000.00 | \$ 10,000.00 |
|---------------------------------------|--------------|--------------|

| | | |
|---|---------------------|---------------------|
| TOTAL Summer School for Teachers | \$ 10,000.00 | \$ 10,000.00 |
|---|---------------------|---------------------|

SMITH-LEVER AGRICULTURE EXTENSION

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 11,800.00 | \$ 11,800.00 |
| Office Expense | 300.00 | 300.00 |
| Travel | 5,500.00 | 5,500.00 |

| | | |
|--|---------------------|---------------------|
| TOTAL Smith-Lever Agriculture Extension | \$ 17,600.00 | \$ 17,600.00 |
|--|---------------------|---------------------|

SCHOLARSHIPS

| | | |
|--------------------|-------------|-------------|
| Scholarships | \$ 5,000.00 | \$ 5,000.00 |
|--------------------|-------------|-------------|

| | | |
|---------------------------------|--------------------|--------------------|
| TOTAL Scholarships | \$ 5,000.00 | \$ 5,000.00 |
|---------------------------------|--------------------|--------------------|

SCHOOL OF AGRICULTURE—EXTENSION SERVICE

| | | |
|---------------------------------------|-----------|-----------|
| Salaries and Wages of Employees | \$ 100.00 | \$ 100.00 |
| Operations | 950.00 | 950.00 |

| | | |
|---|--------------------|--------------------|
| TOTAL School of Agriculture— Extension Service | \$ 1,050.00 | \$ 1,050.00 |
|---|--------------------|--------------------|

AGRICULTURE AND FARM EXPERIMENTAL STATION

| | | |
|---------------------------------------|--------------|--------------|
| Salaries and Wages of Employees | \$ 16,600.00 | \$ 16,600.00 |
| Office Expense | 400.00 | 400.00 |
| Travel | 200.00 | 200.00 |
| Operations | 7,000.00 | 7,000.00 |
| Repairs and Replacements | 1,800.00 | 1,800.00 |

| | | |
|--|---------------------|---------------------|
| TOTAL Agriculture and Farm Experimental Station | \$ 26,000.00 | \$ 26,000.00 |
|--|---------------------|---------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

POULTRY AND ENTOMOLOGY

| | | |
|--|--------------------|--------------------|
| Salaries and Wages of Employees | \$ 5,000.00 | \$ 5,000.00 |
| Office Expense | 75.00 | 75.00 |
| Travel | 800.00 | 800.00 |
| Operations | 1,125.00 | 1,125.00 |
| TOTAL Poultry and Entomology..... | \$ 7,000.00 | \$ 7,000.00 |

FOWL TYPHOID

| | | |
|---------------------------------------|--------------------|--------------------|
| Salaries and Wages of Employees | \$ 3,800.00 | \$ 3,800.00 |
| Travel | 250.00 | 250.00 |
| Operations | 1,125.00 | 1,100.00 |
| Repairs and Replacements | 75.00 | 100.00 |
| Equipment | 250.00 | 250.00 |
| TOTAL Fowl Typhoid | \$ 5,500.00 | \$ 5,500.00 |

DAIRY SPECIALISTS

| | | |
|--------------------------------------|--------------------|--------------------|
| Salaries and Wages of | | |
| Dairy Specialists | \$ 4,265.00 | \$ 4,265.00 |
| Office Expense | 125.00 | 125.00 |
| Travel | 610.00 | 610.00 |
| TOTAL Dairy Specialists | \$ 5,000.00 | \$ 5,000.00 |

AGRICULTURE SUB-STATION

| | | |
|---|---------------------|---------------------|
| Salaries and Wages of Employees | \$ 4,820.00 | \$ 4,820.00 |
| Travel | 380.00 | 380.00 |
| Operations | 4,800.00 | 4,800.00 |
| TOTAL Agriculture Sub-Station..... | \$ 10,000.00 | \$ 10,000.00 |

TOTAL UNIVERSITY

| | | |
|-------------------|--------------|--------------|
| OF DELAWARE | \$612,500.00 | \$612,500.00 |
|-------------------|--------------|--------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

STATE COLLEGE FOR COLORED STUDENTS

| | | |
|---|--------------|--------------|
| Salaries and Wages of Employees | \$ 68,000.00 | \$ 68,000.00 |
| Office Expense | 1,800.00 | 1,800.00 |
| Operations | 24,700.00 | 24,700.00 |
| Repairs and Replacements | 3,000.00 | 3,000.00 |
| Equipment | 3,500.00 | 3,500.00 |
| Library Books | 7,500.00 | 5,000.00 |
| <hr/> | | |
| TOTAL State College for Colored Students | \$108,500.00 | \$106,000.00 |
| <hr/> | | |

STATE BOARD OF EDUCATION

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|---------------------------------------|--------------|--------------|
| Salaries | \$ 51,940.00 | \$ 54,465.00 |
| Office Supplies | 9,500.00 | 9,500.00 |
| Travel | 2,300.00 | 2,300.00 |
| Telephone and Telegraph | 2,000.00 | 2,000.00 |
| Other Costs | 750.00 | 500.00 |
| Special Printing Course of Study..... | 4,500.00 | 2,500.00 |
| Convention Travel | 500.00 | 500.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 82,860.00 | 83,235.00 |
| Instructional Service Supplies | 3,600.00 | 3,600.00 |
| Travel | 7,900.00 | 7,900.00 |
| Text Books | 1,500.00 | 1,500.00 |
| Other Costs | 4,400.00 | 4,400.00 |
| Travel for New Position | 1,500.00 | 1,500.00 |
| Visual Education | 1,500.00 | 1,500.00 |

OPERATION OF PLANT

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|----------|----------|
| Salaries | 2,100.00 | 2,100.00 |
| Supplies and Replacements | 2,000.00 | 2,000.00 |
| Other Costs | 2,850.00 | 300.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

FIXED CHARGES

| | | |
|---------------------------|-----------|-----------|
| Fire Insurance | 10,000.00 | 10,000.00 |
| Other Insurance | 2,100.00 | 2,100.00 |
| Other Fixed Charges | 175.00 | 175.00 |
| Rent | 2,500.00 | 2,500.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|-----------|-----------|
| Salaries | 10,500.00 | 10,500.00 |
| Travel | 1,200.00 | 1,200.00 |
| Other Vocational Costs | 2,250.00 | 2,250.00 |

Adult Education

| | | |
|-----------------------------------|----------|----------|
| Salaries | 6,000.00 | 6,000.00 |
| Travel | 500.00 | 500.00 |
| Other Adult Education Costs | 500.00 | 500.00 |

Teacher Training

| | | |
|--|----------|----------|
| University of Delaware | 8,500.00 | 8,500.00 |
| State College for Colored Students | 1,500.00 | 1,500.00 |
| Wilmington | 1,800.00 | 1,800.00 |
| Sanitoria | 650.00 | 700.00 |

Service Bureau

| | | |
|----------------------|----------|----------|
| Service Bureau | 5,000.00 | 5,000.00 |
|----------------------|----------|----------|

Visiting Teachers

| | | |
|-------------------|----------|----------|
| Salaries | 7,200.00 | 7,200.00 |
| Travel | 3,200.00 | 3,200.00 |
| Other Costs | 150.00 | 150.00 |

Substitute Teachers

| | | |
|---------------------------|----------|----------|
| Substitute Teachers | 7,500.00 | 7,500.00 |
|---------------------------|----------|----------|

Transportation

| | | |
|--------------------------|------------|------------|
| Salaries | 4,850.00 | 5,200.00 |
| Travel | 525.00 | 525.00 |
| Contract Service | 300,000.00 | 303,250.00 |
| Insurance | 2,800.00 | 2,800.00 |
| Other Costs | 400.00 | 400.00 |
| Private Allowances | 34,000.00 | 34,000.00 |

Increase in Allotment for Boarding

| | | |
|--------------|----------|----------|
| Pupils | 9,000.00 | 9,000.00 |
|--------------|----------|----------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|---|---------------------|---------------------|
| Radios and Victrolas for State Board | | |
| Unit Schools | | 5,000.00 |
| Scholarships | 3,600.00 | 6,000.00 |
| Lunch Program | | |
| Salaries | 3,200.00 | 3,300.00 |
| Travel | 1,000.00 | 1,000.00 |
| CAPITAL OUTLAY | | |
| Equipment | 1,145.00 | 700.00 |
| Library Books | 500.00 | 500.00 |
| Other Costs | 385.00 | 385.00 |
| TOTAL State Board | | |
| of Education | \$614,330.00 | \$623,135.00 |

BOARD OF VOCATIONAL EDUCATION

REHABILITATION DIVISION

| | | |
|----------------------------------|---------------------|---------------------|
| Case Service | \$ 30,000.00 | \$ 30,000.00 |
| TOTAL Board of Vocational | | |
| Education—Rehabilitation | | |
| Division | \$ 30,000.00 | \$ 30,000.00 |

LOCAL SCHOOL DISTRICTS

ARDEN NO. 3

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 4.00 | \$ 5.00 |
| Other Costs | 5.00 | 5.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 5,000.00 | 5,000.00 |
| Instructional Service Supplies | 100.00 | 100.00 |
| Text Books | 150.00 | 150.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 300.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 450.00 | 450.00 |
| Janitors' Supplies | 40.00 | 40.00 |
| Fuel (for Heating) | 300.00 | 300.00 |
| Water, Electricity and Gas | 95.00 | 95.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 35.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 25.00 | 25.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|--------------------------|-------|-------|
| Promotion of Health | | |
| Other Health Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Equipment | 385.00 | 75.00 |
| Library Books | 40.00 | 40.00 |

| | | |
|--------------------------|-------------|-------------|
| TOTAL Arden, No. 3 | \$ 6,749.00 | \$ 6,750.00 |
|--------------------------|-------------|-------------|

ALFRED I. duPONT, NO. 7

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,400.00 | \$ 1,400.00 |
| Office Supplies | 40.00 | 40.00 |
| Travel | 50.00 | 50.00 |
| Telephone and Telegraph | 125.00 | 125.00 |
| Other Costs' | 50.00 | 50.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 42,000.00 | 42,000.00 |
| Instructional Service Supplies | 750.00 | 750.00 |
| Text Books | 1,000.00 | 1,000.00 |
| Other Costs | 200.00 | 200.00 |
| Teachers Salary Increments | | 2,000.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 3,600.00 | 3,600.00 |
| Janitors' Supplies | 350.00 | 350.00 |
| Fuel (for Heating) | 2,400.00 | 2,400.00 |
| Water, Electricity and Gas | 600.00 | 600.00 |
| Other Costs | 190.00 | 190.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 100.00 | 200.00 |
| Other Costs | 200.00 | 400.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,700.00 | 1,700.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 60.00 | 60.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 2,200.00 | 2,200.00 |
| Travel | 50.00 | 50.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|--------|
| Equipment | 2,000.00 | 100.00 |
| Library Books | 400.00 | 500.00 |

| | | |
|------------------------------------|--------------|--------------|
| TOTAL Alfred I. duPont, No. 7..... | \$ 59,715.00 | \$ 60,215.00 |
|------------------------------------|--------------|--------------|

RICHARDSON PARK, NO. 20

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,300.00 | \$ 1,300.00 |
| Office Supplies | 120.00 | 120.00 |
| Travel | 100.00 | 100.00 |
| Telephone and Telegraph | 165.00 | 165.00 |
| Other Costs | 50.00 | 50.00 |

EXPENSES OF STATE GOVERNMENT

APPROPRIATION

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 65,000.00 | 68,000.00 |
| Instructional Service Supplies | 700.00 | 700.00 |
| Text Books | 1,400.00 | 1,500.00 |
| Other Costs | 300.00 | 300.00 |
| Teachers Salary Increments | | 1,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 4,700.00 | 4,700.00 |
| Janitors' Supplies | 300.00 | 300.00 |
| Fuel (for Heating) | 1,700.00 | 1,700.00 |
| Water, Electricity and Gas | 1,600.00 | 1,600.00 |
| Other Costs | 200.00 | 200.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 300.00 | 300.00 |
| Upkeep of Grounds | 150.00 | 150.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Salaries | 1,500.00 | 1,500.00 |
| Travel | 30.00 | 30.00 |
| Other Health Costs | 50.00 | 50.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 1,550.00 | 1,550.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|----------|
| Equipment | 2,500.00 | 1,500.00 |
| Library Books | 400.00 | 400.00 |
| Other Costs | 800.00 | |

| | | |
|------------------------------------|--------------|--------------|
| TOTAL Richardson Park, No. 20..... | \$ 84,915.00 | \$ 87,715.00 |
|------------------------------------|--------------|--------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

NEWPORT, NO. 21

GENERAL OR ADMINISTRATIVE, CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,200.00 | \$ 1,200.00 |
| Office Supplies | 75.00 | 75.00 |
| Telephone and Telegraph | 96.00 | 96.00 |
| Other Costs | 30.00 | 30.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 47,500.00 | 49,700.00 |
| Instructional Service Supplies | 900.00 | 1,000.00 |
| Text Books | 1,500.00 | 1,200.00 |
| Other Costs | 225.00 | 225.00 |
| Teachers Salary Increments | | 2,400.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 4,000.00 | 4,000.00 |
| Janitors' Supplies | 250.00 | 275.00 |
| Fuel (for Heating) | 2,500.00 | 2,500.00 |
| Water, Electricity and Gas | 1,000.00 | 1,000.00 |
| Other Costs | 350.00 | 350.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 700.00 | 700.00 |
| Upkeep of Grounds | 200.00 | 100.00 |
| Other Costs | 100.00 | 100.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,400.00 | 1,400.00 |
| Other Health Costs | 125.00 | 100.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 2,200.00 | 2,200.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|--------|
| Equipment | 2,200.00 | 400.00 |
| Library Books | 600.00 | 600.00 |

| | | |
|----------------------------|--------------|--------------|
| TOTAL Newport, No. 21..... | \$ 67,351.00 | \$ 69,851.00 |
|----------------------------|--------------|--------------|

APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

WALNUT GREEN, NO. 25

GENERAL OR ADMINISTRATIVE CONTROL

| | | | |
|-----------------------|---------|----|------|
| Office Supplies | \$ 4.00 | \$ | |
| Other Costs | 3.00 | | 3.00 |

INSTRUCTIONAL SERVICE

| | | | |
|--------------------------------------|----------|--|----------|
| Salaries | 1,850.00 | | 1,850.00 |
| Instructional Service Supplies | 50.00 | | 50.00 |
| Text Books | 65.00 | | 65.00 |
| Other Costs | 50.00 | | 50.00 |
| Teachers Salary Increments | | | 100.00 |

OPERATION OF PLANT

| | | | |
|--|--------|--|--------|
| Salaries—Janitors, Engineers, etc..... | 250.00 | | 250.00 |
| Janitors' Supplies | 18.00 | | 18.00 |
| Fuel (for Heating) | 300.00 | | 300.00 |
| Water, Electricity and Gas | 15.00 | | 15.00 |
| Other Costs | 77.00 | | 77.00 |

MAINTENANCE

Repairs and Replacements

| | | | |
|---------------------------------|-------|--|-------|
| Supplies and Replacements | 20.00 | | 20.00 |
| Upkeep of Grounds | 10.00 | | 10.00 |
| Other Costs | 25.00 | | 25.00 |

CAPITAL OUTLAY

| | | | |
|---------------------|--------|--|--------|
| Equipment | 300.00 | | 280.00 |
| Library Books | 50.00 | | 15.00 |

| | | | |
|--|--------------------|-----------|-----------------|
| TOTAL Walnut Green, No. 25..... | \$ 3,087.00 | \$ | 3,128.00 |
|--|--------------------|-----------|-----------------|

HOCKESSIN, NO. 29

GENERAL OR ADMINISTRATIVE CONTROL

| | | | |
|-------------------------------|----------|----|-------|
| Office Supplies | \$ 10.00 | \$ | 10.00 |
| Telephone and Telegraph | 70.00 | | 60.00 |
| Other Costs | 10.00 | | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 9,100.00 | 9,100.00 |
| Instructional Service Supplies | 200.00 | 200.00 |
| Text Books | 250.00 | 250.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 350.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,100.00 | 1,100.00 |
| Janitors' Supplies | 110.00 | 110.00 |
| Fuel (for Heating) | 700.00 | 700.00 |
| Water, Electricity and Gas | 200.00 | 200.00 |
| Other Costs | 100.00 | 100.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 100.00 | 100.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 100.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|------------------------------|--------|--------|
| Equipment | 600.00 | 200.00 |
| Library Books | 120.00 | 150.00 |
| Lighting for Gymnasium | 200.00 | |

| | | |
|-------------------------------------|---------------------|---------------------|
| TOTAL Hockessin, No. 29..... | \$ 13,170.00 | \$ 13,040.00 |
|-------------------------------------|---------------------|---------------------|

HARMONY, NO. 32

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,605.00 | 1,605.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 40.00 | 31.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 115.00 | 115.00 |
| Water, Electricity and Gas | 27.00 | 27.00 |
| Other Costs | 20.00 | 20.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 40.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Equipment | 150.00 | 85.50 |
| Library Books | 15.00 | 15.00 |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Harmony, No. 32..... | \$ 2,219.00 | \$ 2,225.50 |
|----------------------------|-------------|-------------|

MT. PLEASANT, NO. 34

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|------|
| Office Supplies | \$ 4.00 | \$ |
| Other Costs | 3.00 | 3.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,375.00 | 1,375.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 30.00 | 30.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 125.00 | 125.00 |
| Other Costs | 20.00 | 20.00 |

APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 20.00 | 15.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 83.00 | 75.00 |
| Library Books | 10.00 | 10.00 |

| | | |
|---------------------------------|-------------|-------------|
| TOTAL Mt. Pleasant, No. 34..... | \$ 1,855.00 | \$ 1,938.00 |
|---------------------------------|-------------|-------------|

STANTON, NO. 38

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|----------|----------|
| Office Supplies | \$ 20.00 | \$ 20.00 |
| Telephone and Telegraph | 65.00 | 65.00 |
| Other Costs | 13.00 | 13.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 13,500.00 | 13,500.00 |
| Instructional Service Supplies | 300.00 | 300.00 |
| Text Books | 400.00 | 400.00 |
| Other Costs | 40.00 | 40.00 |
| Teachers Salary Increments | | 600.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 950.00 | 950.00 |
| Janitors' Supplies | 70.00 | 70.00 |
| Fuel (for Heating) | 1,000.00 | 1,000.00 |
| Water, Electricity and Gas | 350.00 | 350.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 120.00 | 120.00 |
| Upkeep of Grounds | 60.00 | 60.00 |
| Other Costs | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|-------|-------|
| Other Health Costs | 20.00 | 20.00 |
|--------------------------|-------|-------|

CAPITAL OUTLAY

| | | |
|---------------------|----------|--------|
| Equipment | 1,200.00 | 335.00 |
| Library Books | 90.00 | 100.00 |

| | | |
|----------------------------|--------------|--------------|
| TOTAL Stanton, No. 38..... | \$ 18,298.00 | \$ 18,043.00 |
|----------------------------|--------------|--------------|

CHRISTIANA, NO. 44

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|---------|---------|
| Office Supplies | \$ 5.00 | \$ 5.00 |
| Telephone and Telegraph | 52.00 | 52.00 |
| Other Costs | 6.00 | 6.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 7,700.00 | 7,700.00 |
| Instructional Service Supplies | 175.00 | 175.00 |
| Text Books | 250.00 | 250.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 500.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 850.00 | 850.00 |
| Janitors' Supplies | 125.00 | 125.00 |
| Fuel (for Heating) | 725.00 | 725.00 |
| Water, Electricity and Gas | 250.00 | 250.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 75.00 | 75.00 |
| Upkeep of Grounds | 25.00 | 25.00 |
| Other Costs | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|-------|-------|
| Other Health Costs | 25.00 | 25.00 |
|--------------------------|-------|-------|

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 100.00 | 100.00 |
| Library Books | 60.00 | 60.00 |

| | | |
|--------------------------------|--------------|--------------|
| TOTAL. Christiana, No. 44..... | \$ 10,573.00 | \$ 11,073.00 |
|--------------------------------|--------------|--------------|

ROSE HILL-MINQUADALE, NO. 47

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,200.00 | \$ 1,200.00 |
| Office Supplies | 90.00 | 80.00 |
| Travel | 100.00 | 100.00 |
| Telephone and Telegraph | 175.00 | 175.00 |
| Other Costs | 40.00 | 40.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 35,000.00 | 37,000.00 |
| Instructional Service Supplies | 750.00 | 800.00 |
| Text Books | 1,000.00 | 1,000.00 |
| Other Costs | 250.00 | 275.00 |
| Teachers Salary Increments | | 1,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 2,200.00 | 2,200.00 |
| Janitors' Supplies | 400.00 | 450.00 |
| Fuel (for Heating) | 1,700.00 | 1,700.00 |
| Water, Electricity and Gas | 400.00 | 400.00 |
| Other Costs | 225.00 | 225.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 500.00 | 500.00 |
| Upkeep of Grounds | 35.00 | 35.00 |
| Other Costs | 100.00 | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|--|--------------|--------------|
| Equipment | 300.00 | 200.00 |
| Library Books | 175.00 | 165.00 |
| <hr/> | | |
| TOTAL Rose Hill- Minquadale, No. 47 | \$ 44,640.00 | \$ 48,145.00 |
| <hr/> | | |

DELAWARE CITY, NO. 52

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,000.00 | \$ 1,000.00 |
| Office Supplies | 80.00 | 80.00 |
| Travel | 100.00 | 100.00 |
| Telephone and Telegraph | 100.00 | 100.00 |
| Other Costs | 50.00 | 50.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 19,000.00 | 19,000.00 |
| Instructional Service Supplies | 600.00 | 600.00 |
| Text Books | 550.00 | 600.00 |
| Other Costs | 200.00 | 200.00 |
| Teachers Salary Increments | | 1,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 2,200.00 | 2,200.00 |
| Janitors' Supplies | 200.00 | 200.00 |
| Fuel (for Heating) | 1,600.00 | 1,600.00 |
| Water, Electricity and Gas | 650.00 | 650.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 500.00 | 500.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 200.00 | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|-------|-------|
| Other Health Costs | 50.00 | 50.00 |
|--------------------------|-------|-------|

Vocational Education

(Ag., Home Ec.)

| | | |
|----------------|----------|----------|
| Salaries | 1,900.00 | 1,900.00 |
|----------------|----------|----------|

| | | |
|------------------------------|--------|--------|
| Other Vocational Costs | 100.00 | 100.00 |
|------------------------------|--------|--------|

CAPITAL OUTLAY

| | | |
|-----------------|--------|--------|
| Equipment | 450.00 | 480.00 |
|-----------------|--------|--------|

| | | |
|---------------------|--------|--------|
| Library Books | 150.00 | 150.00 |
|---------------------|--------|--------|

| | | |
|---|---------------------|---------------------|
| TOTAL Delaware City, No. 52..... | \$ 29,780.00 | \$ 30,860.00 |
|---|---------------------|---------------------|

COMMODORE MACDONOUGH, NO. 53

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|----------|----------|
| Office Supplies | \$ 15.00 | \$ 15.00 |
|-----------------------|----------|----------|

| | | |
|-------------------------------|-------|-------|
| Telephone and Telegraph | 70.00 | 70.00 |
|-------------------------------|-------|-------|

INSTRUCTIONAL SERVICE

| | | |
|----------------|-----------|-----------|
| Salaries | 14,000.00 | 14,000.00 |
|----------------|-----------|-----------|

| | | |
|--------------------------------------|--------|--------|
| Instructional Service Supplies | 300.00 | 300.00 |
|--------------------------------------|--------|--------|

| | | |
|------------------|--------|--------|
| Text Books | 350.00 | 350.00 |
|------------------|--------|--------|

| | | |
|-------------------|--------|--------|
| Other Costs | 200.00 | 200.00 |
|-------------------|--------|--------|

| | | |
|----------------------------------|--|--------|
| Teachers Salary Increments | | 700.00 |
|----------------------------------|--|--------|

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,800.00 | 1,800.00 |
|--|----------|----------|

| | | |
|--------------------------|--------|--------|
| Janitors' Supplies | 250.00 | 250.00 |
|--------------------------|--------|--------|

| | | |
|--------------------------|----------|----------|
| Fuel (for Heating) | 1,000.00 | 1,000.00 |
|--------------------------|----------|----------|

| | | |
|----------------------------------|--------|--------|
| Water, Electricity and Gas | 200.00 | 200.00 |
|----------------------------------|--------|--------|

| | | |
|-------------------|--------|--------|
| Other Costs | 100.00 | 100.00 |
|-------------------|--------|--------|

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 200.00 | 200.00 |
|---------------------------------|--------|--------|

| | | |
|-------------------------|-------|-------|
| Upkeep of Grounds | 50.00 | 50.00 |
|-------------------------|-------|-------|

| | | |
|-------------------|--------|--------|
| Other Costs | 100.00 | 100.00 |
|-------------------|--------|--------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 275.00 | 250.00 |
| Library Books | 150.00 | 150.00 |

TOTAL Commodore

| | | |
|--------------------------|--------------|--------------|
| MacDonough, No. 53 | \$ 19,060.00 | \$ 19,735.00 |
|--------------------------|--------------|--------------|

GLASGOW, NO. 56

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 7.00 | \$ 7.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,262.50 | 1,262.50 |
| Instructional Service Supplies | 45.00 | 45.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 31.00 | 31.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 50.00 | 50.00 |
| Janitors' Supplies | 15.00 | 15.00 |
| Fuel (for Heating) | 110.00 | 110.00 |
| Water, Electricity and Gas | 12.00 | 12.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 70.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---|--------|-------|
| Equipment | 180.00 | 28.00 |
| Library Books | 15.00 | 15.00 |
| Install Oil Burner in Present Heater... | 375.00 | |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Glasgow, No. 56..... | \$ 2,237.50 | \$ 1,760.50 |
|----------------------------|-------------|-------------|

APPROPRIATION EXPENSES OF STATE GOVERNMENT

MIDDLETOWN, NO. 60

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,350.00 | \$ 1,350.00 |
| Office Supplies | 100.00 | 100.00 |
| Travel | 50.00 | 50.00 |
| Telephone and Telegraph | 100.00 | 100.00 |
| Other Costs | 75.00 | 75.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 45,000.00 | 45,000.00 |
| Instructional Service Supplies | 900.00 | 900.00 |
| Travel | 50.00 | 50.00 |
| Text Books | 1,000.00 | 1,000.00 |
| Other Costs | 500.00 | 500.00 |
| Teachers Salary Increments | | 2,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 3,000.00 | 3,000.00 |
| Janitors' Supplies | 325.00 | 325.00 |
| Fuel (for Heating) | 1,500.00 | 1,500.00 |
| Water, Electricity and Gas | 800.00 | 800.00 |
| Other Costs | 100.00 | 100.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 900.00 | 900.00 |
| Upkeep of Grounds | 100.00 | 100.00 |
| Other Costs | 200.00 | 200.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Salaries | 1,450.00 | 1,450.00 |
| Travel | 100.00 | 100.00 |
| Other Health Costs | 75.00 | 75.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 6,900.00 | 6,900.00 |
| Travel | 100.00 | 100.00 |
| Other Vocational Costs | 175.00 | 175.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|----------|----------|
| Equipment | 2,070.00 | 1,200.00 |
| Library Books | 400.00 | 450.00 |
| Other Costs | 500.00 | 500.00 |

| | | |
|-------------------------------|--------------|--------------|
| TOTAL Middletown, No. 60..... | \$ 67,820.00 | \$ 69,000.00 |
|-------------------------------|--------------|--------------|

ODESSA, NO. 61

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 7.00 | \$ 7.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,097.50 | 3,097.50 |
| Instructional Service Supplies | 80.00 | 80.00 |
| Text Books | 125.00 | 125.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 650.00 | 650.00 |
| Janitors' Supplies | 50.00 | 50.00 |
| Fuel (for Heating) | 350.00 | 350.00 |
| Water, Electricity and Gas | 50.00 | 50.00 |
| Other Costs | 20.00 | 20.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 35.00 | 35.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 15.00 | 15.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 268.00 | 150.00 |
| Library Books | 35.00 | 35.00 |

| | | |
|---------------------------|-------------|-------------|
| TOTAL Odessa, No. 61..... | \$ 4,882.50 | \$ 4,964.50 |
|---------------------------|-------------|-------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

PORT PENN, NO. 63

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 7.00 | \$ | 7.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,200.00 | 1,200.00 |
| Instructional Service Supplies | 70.00 | 70.00 |
| Text Books | 60.00 | 60.00 |
| Other Costs | 36.00 | 36.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 80.00 | 80.00 |
| Water, Electricity and Gas | 36.00 | 36.00 |
| Other Costs | 12.00 | 12.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 208.00 | 208.00 |
| Library Books | 12.00 | 12.00 |

| | | | | |
|-------------------------------------|-----------|-----------------|-----------|-----------------|
| TOTAL Port Penn, No. 63..... | \$ | 1,873.00 | \$ | 1,973.00 |
|-------------------------------------|-----------|-----------------|-----------|-----------------|

TAYLOR'S BRIDGE, NO. 66

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 7.00 | \$ | 7.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,420.00 | 1,420.00 |
| Instructional Service Supplies | 34.00 | 34.00 |
| Text Books | 40.00 | 50.00 |
| Other Costs | 30.00 | 26.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 120.00 | 120.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 6.00 | 6.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 15.00 | 15.00 |
| Other Costs | 15.00 | 15.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 40.00 | 50.00 |
| Library Books | 12.00 | 12.00 |

| | | |
|------------------------------------|-------------|-------------|
| TOTAL Taylor's Bridge, No. 66..... | \$ 1,886.00 | \$ 1,902.00 |
|------------------------------------|-------------|-------------|

MARSHALLTON, NO. 77

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,400.00 | \$ 1,400.00 |
| Office Supplies | 150.00 | 150.00 |
| Travel | 75.00 | 75.00 |
| Telephone and Telegraph | 81.00 | 81.00 |
| Other Costs | 50.00 | 50.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 46,500.00 | 46,500.00 |
| Instructional Service Supplies | 900.00 | 900.00 |
| Text Books | 900.00 | 900.00 |
| Other Costs | 500.00 | 500.00 |
| Teachers Salary Increments | | 2,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 2,600.00 | 2,600.00 |
| Janitors' Supplies | 400.00 | 400.00 |
| Fuel (for Heating) | 1,100.00 | 1,100.00 |
| Water, Electricity and Gas | 1,800.00 | 1,800.00 |
| Other Costs | 200.00 | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 500.00 | 500.00 |
| Other Costs | 200.00 | 300.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Salaries | 1,300.00 | 1,300.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 100.00 | 100.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 2,005.00 | 2,005.00 |
| Travel | 50.00 | 50.00 |
| Other Vocational Costs | 150.00 | 150.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 300.00 | |
| Library Books | 400.00 | 400.00 |

| | | |
|---------------------------------------|---------------------|---------------------|
| TOTAL Marshallton, No. 77..... | \$ 61,711.00 | \$ 63,511.00 |
|---------------------------------------|---------------------|---------------------|

TOWNSEND, NO. 81

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|----------|----------|
| Office Supplies | \$ 10.00 | \$ 10.00 |
| Other Costs | 10.00 | 10.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 12,000.00 | 12,000.00 |
| Instructional Service Supplies | 250.00 | 250.00 |
| Text Books | 400.00 | 400.00 |
| Other Costs | 100.00 | 100.00 |
| Teachers Salary Increments | | 700.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,100.00 | 1,100.00 |
| Janitors' Supplies | 175.00 | 175.00 |
| Fuel (for Heating) | 600.00 | 600.00 |
| Water, Electricity and Gas | 250.00 | 250.00 |
| Other Costs | 25.00 | 25.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 200.00 | 200.00 |
| Upkeep of Grounds | 25.00 | 25.00 |
| Other Costs | 25.00 | 25.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|--------------------------|-------|-------|
| Promotion of Health | | |
| Other Health Costs | 50.00 | 50.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 200.00 | 200.00 |
| Library Books | 150.00 | 150.00 |

| | | |
|------------------------------------|---------------------|---------------------|
| TOTAL Townsend, No. 81..... | \$ 15,570.00 | \$ 16,270.00 |
|------------------------------------|---------------------|---------------------|

YORKLYN, NO. 91

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|----------|----------|
| Office Supplies | \$ 10.00 | \$ 10.00 |
|-----------------------|----------|----------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 8,700.00 | 8,700.00 |
| Instructional Service Supplies | 150.00 | 150.00 |
| Text Books | 200.00 | 200.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 400.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,000.00 | 1,000.00 |
| Janitors' Supplies | 100.00 | 100.00 |
| Fuel (for Heating) | 500.00 | 500.00 |
| Water, Electricity and Gas | 125.00 | 125.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 300.00 | 250.00 |
| Upkeep of Grounds | 200.00 | 100.00 |
| Other Costs | 100.00 | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|----------------------------|--------------|--------------|
| Equipment | 200.00 | |
| Library Books | 100.00 | 80.00 |
| Other Costs | 100.00 | 100.00 |
| <hr/> | | <hr/> |
| TOTAL Yorklyn, No. 91..... | \$ 11,935.00 | \$ 11,965.00 |
| <hr/> | | <hr/> |

PLEASANT VALLEY, NO. 92

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 7.00 | \$ 7.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,200.00 | 2,200.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 30.00 | 30.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 15.00 | 15.00 |
| Fuel (for Heating) | 100.00 | 100.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 80.00 | 80.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 70.00 | 35.00 |
| Library Books | 20.00 | 20.00 |

| | | |
|------------------------------------|-------------|-------------|
| TOTAL Pleasant Valley, No. 92..... | \$ 2,747.00 | \$ 2,712.00 |
|------------------------------------|-------------|-------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

EDEN, NO. 101

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 9.00 | \$ | 9.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,575.00 | 2,575.00 |
| Instructional Service Supplies | 75.00 | 75.00 |
| Text Books | 160.00 | 160.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 250.00 | 250.00 |
| Janitors' Supplies | 30.00 | 30.00 |
| Fuel (for Heating) | 355.00 | 350.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |
| Other Costs | 62.00 | 62.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 35.00 | 35.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|--------|
| Equipment | 75.00 | 150.00 |
| Library Books | 50.00 | 40.00 |

| | | | | |
|--------------------------|----|----------|----|----------|
| TOTAL Eden, No. 101..... | \$ | 3,786.00 | \$ | 4,046.00 |
|--------------------------|----|----------|----|----------|

OAK GROVE, NO. 130

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------------------|----|----------|----|----------|
| Salaries | \$ | 1,300.00 | \$ | 1,300.00 |
| Office Supplies | | 100.00 | | 100.00 |
| Travel | | 75.00 | | 75.00 |
| Telephone and Telegraph | | 100.00 | | 100.00 |
| Other Costs | | 40.00 | | 40.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|--|--------------|--------------|
| INSTRUCTIONAL SERVICE | | |
| Salaries | 32,000.00 | 32,000.00 |
| Instructional Service Supplies | 800.00 | 800.00 |
| Text Books | 1,000.00 | 1,100.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 1,700.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 2,500.00 | 3,500.00 |
| Janitors' Supplies | 350.00 | 350.00 |
| Fuel (for Heating) | 1,200.00 | 2,000.00 |
| Water, Electricity and Gas | 1,300.00 | 1,400.00 |
| Other Costs | 100.00 | 100.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 800.00 | 900.00 |
| Upkeep of Grounds | 250.00 | 250.00 |
| Other Costs | 50.00 | 50.00 |
| AUXILIARY AND COORDINATE ACTIVITIES | | |
| Promotion of Health | | |
| Salaries | 1,400.00 | 1,400.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 100.00 | 100.00 |
| CAPITAL OUTLAY | | |
| Equipment | 1,900.00 | 600.00 |
| Library Books | 400.00 | 300.00 |
| <hr/> | | |
| TOTAL Oak Grove, No. 130..... | \$ 45,965.00 | \$ 48,365.00 |
| <hr/> | | |

HENRY C. CONRAD, NO. 131

| | | |
|--|-------------|-------------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Salaries | \$ 1,400.00 | \$ 1,400.00 |
| Office Supplies | 150.00 | 150.00 |
| Travel | 100.00 | 100.00 |
| Telephone and Telegraph | 150.00 | 150.00 |
| Other Costs | 25.00 | 25.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 61,000.00 | 61,000.00 |
| Instructional Service Supplies | 1,000.00 | 1,000.00 |
| Text Books | 1,200.00 | 1,200.00 |
| Other Costs | 225.00 | 225.00 |
| Teachers Salary Increments | | 2,200.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 3,500.00 | 3,500.00 |
| Janitors' Supplies | 400.00 | 400.00 |
| Fuel (for Heating) | 1,200.00 | 1,200.00 |
| Water, Electricity and Gas | 2,700.00 | 2,700.00 |
| Other Costs | 400.00 | 400.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 675.00 | 100.00 |
| Upkeep of Grounds | 250.00 | 250.00 |
| Other Costs | 100.00 | 100.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,600.00 | 1,600.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 75.00 | 75.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 7,400.00 | 7,400.00 |
| Travel | 200.00 | 200.00 |
| Other Vocational Costs | 350.00 | 350.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|--------|
| Equipment | 3,900.00 | |
| Library Books | 650.00 | 650.00 |

TOTAL Henry C. Conrad,

No. 131\$ 88,700.00 \$ 86,425.00

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

NEWPORT, NO. 106C

| | | |
|--|---------------------|---------------------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Salaries | \$ 300.00 | \$ 300.00 |
| Office Supplies | 15.00 | 15.00 |
| Telephone and Telegraph | 60.00 | 60.00 |
| Other Costs | 20.00 | 20.00 |
| INSTRUCTIONAL SERVICE | | |
| Salaries | 15,000.00 | 15,000.00 |
| Instructional Service Supplies | 275.00 | 275.00 |
| Text Books | 450.00 | 450.00 |
| Other Costs | 200.00 | 200.00 |
| Teachers Salary Increments | | 800.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 1,600.00 | 1,600.00 |
| Janitors' Supplies | 100.00 | 100.00 |
| Fuel (for Heating) | 1,200.00 | 1,200.00 |
| Water, Electricity and Gas | 375.00 | 375.00 |
| Other Costs | 50.00 | 50.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 300.00 | 300.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 50.00 | 50.00 |
| AUXILIARY AND COORDINATE ACTIVITIES | | |
| Promotion of Health | | |
| Other Health Costs | 20.00 | 20.00 |
| Vocational Education | | |
| (Ag., Home Ec.) | | |
| Salaries | 2,400.00 | 2,400.00 |
| Other Vocational Costs | 175.00 | 175.00 |
| CAPITAL OUTLAY | | |
| Equipment | 1,225.00 | 400.00 |
| Library Books | 175.00 | 175.00 |
| TOTAL Newport, No. 106-C..... | \$ 24,040.00 | \$ 24,015.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

HOCKESSIN, NO. 107C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 5.00 | \$ | 5.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | 50.00 | 50.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 50.00 | 36.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 175.00 | 175.00 |
| Water, Electricity and Gas | 25.00 | 25.00 |
| Other Costs | 81.50 | 81.50 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 15.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 88.00 | 76.00 |
| Library Books | 15.00 | 15.00 |

| | | | | |
|---------------------------------|----|----------|----|----------|
| TOTAL Hockessin, No. 107-C..... | \$ | 2,321.50 | \$ | 2,400.50 |
|---------------------------------|----|----------|----|----------|

MARSHALLTON, NO. 108C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 5.00 | \$ | 5.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | 24.00 | 24.00 |
| Text Books | 30.00 | 30.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 150.00 | 150.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 47.00 | 47.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 50.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 15.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Equipment | 100.00 | 50.00 |
| Library Books | 10.00 | 10.00 |

| | | |
|--|--------------------|--------------------|
| TOTAL Marshallton, No. 108-C..... | \$ 2,216.00 | \$ 2,241.00 |
|--|--------------------|--------------------|

CHRISTIANA, NO. 111C**GENERAL OR ADMINISTRATIVE CONTROL**

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,680.00 | 1,680.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 150.00 | 150.00 |
| Water, Electricity and Gas | 10.00 | 10.00 |
| Other Costs | 59.00 | 59.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 40.00 | 20.00 |
| Upkeep of Grbunds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Equipment | 200.00 | 70.00 |
| Library Books | 12.00 | 12.00 |

| | | |
|----------------------------------|-------------|-------------|
| TOTAL Christiana, No. 111-C..... | \$ 2,383.00 | \$ 2,333.00 |
|----------------------------------|-------------|-------------|

IRON HILL, NO. 112C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,505.00 | 1,505.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 31.00 | 31.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 120.00 | 120.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 66.00 | 66.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Equipment | 143.00 | 50.00 |
| Library Books | 15.00 | 15.00 |

| | | |
|---------------------------------|-------------|-------------|
| TOTAL Iron Hill, No. 112-C..... | \$ 2,132.00 | \$ 2,139.00 |
|---------------------------------|-------------|-------------|

ST. GEORGES, NO. 117C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | 50.00 | 50.00 |
| Text Books | 60.00 | 60.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 130.00 | 130.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 6.00 | |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 124.00 | 165.00 |
| Library Books | 12.00 | 12.00 |

| | | |
|---------------------------------------|-------------|-------------|
| TOTAL St. Georges, No. 117-C | \$ 2,209.00 | \$ 2,344.00 |
|---------------------------------------|-------------|-------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

DELAWARE CITY, NO. 118C

| | | | |
|--|----|----------|-------------|
| GENERAL OR ADMINISTRATIVE CONTROL | | | |
| Other Costs | \$ | 10.00 | \$ 10.00 |
| INSTRUCTIONAL SERVICE | | | |
| Salaries | | 3,260.00 | 3,260.00 |
| Instructional Service Supplies | | 75.00 | 75.00 |
| Text Books | | 100.00 | 100.00 |
| Other Costs | | 60.00 | 60.00 |
| OPERATION OF PLANT | | | |
| Salaries—Janitors, Engineers, etc..... | | 200.00 | 200.00 |
| Janitors' Supplies | | 20.00 | 20.00 |
| Fuel (for Heating) | | 150.00 | 150.00 |
| Water, Electricity and Gas | | 30.00 | 30.00 |
| Other Costs | | 21.00 | 21.00 |
| MAINTENANCE | | | |
| Repairs and Replacements | | | |
| Supplies and Replacements | | 35.00 | 35.00 |
| Upkeep of Grounds | | 10.00 | |
| Other Costs | | 15.00 | 15.00 |
| CAPITAL OUTLAY | | | |
| Equipment | | 400.00 | 325.00 |
| Library Books | | 30.00 | 30.00 |
| TOTAL Delaware City, | | | |
| No. 118-C | \$ | 4,416.00 | \$ 4,331.00 |

MT. PLEASANT, NO. 119C

| | | | |
|--------------------------------------|----|----------|----------|
| GENERAL OR ADMINISTRATIVE CONTROL | | | |
| Other Costs | \$ | 5.00 | \$ 5.00 |
| INSTRUCTIONAL SERVICE | | | |
| Salaries | | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | | 30.00 | 30.00 |
| Text Books | | 60.00 | 60.00 |
| Other Costs | | 31.00 | 31.00 |
| Teachers Salary Increments | | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 125.00 | 125.00 |
| Other Costs | 38.00 | 38.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 75.00 | 75.00 |
| Library Books | 15.00 | 15.00 |

| | | |
|---|--------------------|--------------------|
| TOTAL Mt. Pleasant, No. 119-C..... | \$ 2,171.00 | \$ 2,261.00 |
|---|--------------------|--------------------|

MIDDLETOWN, NO. 120C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-----------|-----------|
| Salaries | \$ 500.00 | \$ 500.00 |
| Office Supplies | 20.00 | 20.00 |
| Travel | 50.00 | 50.00 |
| Telephone and Telegraph | 40.00 | 40.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 23,000.00 | 24,000.00 |
| Instructional Service Supplies | 450.00 | 450.00 |
| Text Books | 450.00 | 450.00 |
| Other Costs | 100.00 | 100.00 |
| Teachers Salary Increments | | 1,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,300.00 | 1,300.00 |
| Janitors' Supplies | 200.00 | 200.00 |
| Fuel (for Heating) | 1,200.00 | 1,200.00 |
| Water, Electricity and Gas | 225.00 | 225.00 |
| Other Costs | 100.00 | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 350.00 | 400.00 |
| Upkeep of Grounds | 30.00 | 30.00 |
| Other Costs | 75.00 | 75.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Other Health Costs | 75.00 | 75.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 4,600.00 | 4,600.00 |
| Travel | 150.00 | 150.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 150.00 | 175.00 |
| Library Books | 150.00 | 150.00 |

| | | |
|----------------------------------|--------------|--------------|
| TOTAL Middletown, No. 120-C..... | \$ 33,415.00 | \$ 35,490.00 |
|----------------------------------|--------------|--------------|

LEE'S CHAPEL, NO. 124C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | 45.00 | 45.00 |
| Text Books | 86.00 | 86.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 15.00 | 15.00 |
| Fuel (for Heating) | 140.00 | 140.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 13.00 | 13.00 |

APPROPRIATION EXPENSES OF STATE GOVERNMENT

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 15.00 | 15.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Equipment | 150.00 | 75.00 |
| Library Books | 20.00 | 20.00 |

| | | |
|--------------------------------------|----------|-------------|
| TOTAL Lee's Chapel, No. 124-C.....\$ | 2,289.00 | \$ 2,314.00 |
|--------------------------------------|----------|-------------|

TOWNSEND, NO. 125C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,605.00 | 1,605.00 |
| Instructional Service Supplies | 40.00 | 40.00 |
| Text Books | 65.00 | 65.00 |
| Other Costs | 31.00 | 31.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 150.00 | 150.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 45.00 | 45.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 50.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------------------------|--------------------|--------------------|
| Equipment | 200.00 | 75.00 |
| Library Books | 15.00 | 15.00 |
| TOTAL Townsend, No. 125-C..... | \$ 2,353.00 | \$ 2,298.00 |

EBENEZER, NO. 126C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,625.00 | 1,625.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 45.00 | 45.00 |
| Other Costs | 31.00 | 31.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 125.00 | 125.00 |
| Other Costs | 30.00 | 30.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 50.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 75.00 | 50.00 |
| Library Books | 12.00 | 12.00 |

| | | |
|---------------------------------------|--------------------|--------------------|
| TOTAL Ebenezer, No. 126-C..... | \$ 2,145.00 | \$ 2,190.00 |
|---------------------------------------|--------------------|--------------------|

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

MILLSIDE, NO. 132C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|----------|----------|
| Office Supplies | \$ 50.00 | \$ 50.00 |
| Telephone and Telegraph | 50.00 | 50.00 |
| Other Costs | 10.00 | 10.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 10,600.00 | 10,600.00 |
| Instructional Service Supplies | 300.00 | 300.00 |
| Text Books | 400.00 | 400.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 600.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,200.00 | 1,200.00 |
| Janitors' Supplies | 175.00 | 175.00 |
| Fuel (for Heating) | 750.00 | 750.00 |
| Water, Electricity and Gas | 150.00 | 150.00 |
| Other Costs | 100.00 | 100.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 250.00 | 250.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 250.00 | 250.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|--------------------------|--------|--------|
| Promotion of Health | | |
| Other Health Costs | 100.00 | 100.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 600.00 | 150.00 |
| Library Books | 180.00 | 100.00 |

| | | |
|---------------------------------------|---------------------|---------------------|
| TOTAL Millside, No. 132-C..... | \$ 15,265.00 | \$ 15,335.00 |
|---------------------------------------|---------------------|---------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

KENTON, NO. 9

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 4.00 | \$ 4.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,572.50 | 2,572.50 |
| Instructional Service Supplies | 75.00 | 75.00 |
| Text Books | 125.00 | 125.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 275.00 | 275.00 |
| Janitors' Supplies | 60.00 | 60.00 |
| Fuel (for Heating) | 550.00 | 550.00 |
| Water, Electricity and Gas | 65.00 | 65.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 64.00 | 60.00 |
| Library Books | 50.00 | 50.00 |

| | | |
|--------------------------|-------------|-------------|
| TOTAL Kenton, No. 9..... | \$ 3,955.50 | \$ 4,151.50 |
|--------------------------|-------------|-------------|

LEIPSIC, NO. 11

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,655.00 | 1,655.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 100.00 | 100.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 18.00 | 18.00 |
| Library Books | 16.00 | 16.00 |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Leipsic, No. 11..... | \$ 2,061.00 | \$ 2,161.00 |
|----------------------------|-------------|-------------|

OAK POINT, NO. 20

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,517.50 | 1,517.50 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 60.00 | 60.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 75.00 | 75.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | |

APPROPRIATION EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 35.00 | 31.00 |
| Library Books | 33.00 | 31.00 |

| | | |
|------------------------------|-------------|-------------|
| TOTAL Oak Point, No. 20..... | \$ 1,947.50 | \$ 2,036.50 |
|------------------------------|-------------|-------------|

FREDERICA, NO. 32

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-----------|-----------|
| Salaries | \$ 200.00 | \$ 200.00 |
| Office Supplies | 25.00 | 25.00 |
| Travel | 30.00 | 30.00 |
| Telephone and Telegraph | 50.00 | 50.00 |
| Other Costs | 10.00 | 10.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 11,875.00 | 11,875.00 |
| Instructional Service Supplies | 200.00 | 200.00 |
| Text Books | 325.00 | 325.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 700.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,100.00 | 1,100.00 |
| Janitors' Supplies | 200.00 | 200.00 |
| Fuel (for Heating) | 1,500.00 | 1,500.00 |
| Water, Electricity and Gas | 175.00 | 175.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 100.00 | 100.00 |
| Upkeep of Grounds | 50.00 | 50.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 350.00 | 300.00 |
| Library Books | 100.00 | 100.00 |

| | | |
|------------------------------|--------------|--------------|
| TOTAL Frederica, No. 32..... | \$ 16,490.00 | \$ 17,140.00 |
|------------------------------|--------------|--------------|

APPROPRIATION EXPENSES OF STATE GOVERNMENT

FARMINGTON, NO. 39

| | | |
|--|--------------------|--------------------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Other Costs | \$ 6.00 | \$ 6.00 |
| INSTRUCTIONAL SERVICE | | |
| Salaries | 3,285.00 | 3,285.00 |
| Instructional Service Supplies | 75.00 | 75.00 |
| Text Books | 100.00 | 100.00 |
| Other Costs | 75.00 | 75.00 |
| Teachers Salary Increments | | 200.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 180.00 | 180.00 |
| Janitors' Supplies | 35.00 | 35.00 |
| Fuel (for Heating) | 240.00 | 240.00 |
| Water, Electricity and Gas | 50.00 | 50.00 |
| Other Costs | 5.00 | 5.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 40.00 | 40.00 |
| Upkeep of Grounds | 20.00 | 20.00 |
| Other Costs | 10.00 | 10.00 |
| CAPITAL OUTLAY | | |
| Library Books | 45.00 | 45.00 |
| TOTAL Farmington, No. 39..... | \$ 4,166.00 | \$ 4,366.00 |

MAGNOLIA, NO. 50

| | | |
|--|----------|----------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Other Costs | \$ 6.00 | \$ 6.00 |
| INSTRUCTIONAL SERVICE | | |
| Salaries | 4,500.00 | 4,500.00 |
| Instructional Service Supplies | 100.00 | 100.00 |
| Text Books | 160.00 | 160.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 300.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 550.00 | 550.00 |
| Janitors' Supplies | 50.00 | 50.00 |
| Fuel (for Heating) | 450.00 | 450.00 |
| Water, Electricity and Gas | 65.00 | 65.00 |
| Other Costs | 25.00 | 25.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Library Books | 100.00 | 100.00 |
|---------------------|--------|--------|

| | | |
|-----------------------------|-------------|-------------|
| TOTAL Magnolia, No. 50..... | \$ 6,126.00 | \$ 6,426.00 |
|-----------------------------|-------------|-------------|

FELTON, NO. 54

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,100.00 | \$ 1,100.00 |
| Office Supplies | 40.00 | 40.00 |
| Travel | 100.00 | 100.00 |
| Telephone and Telegraph | 65.00 | 65.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 30,000.00 | 30,000.00 |
| Instructional Service Supplies | 600.00 | 600.00 |
| Text Books | 700.00 | 700.00 |
| Other Costs | 200.00 | 200.00 |
| Teachers Salary Increments | | 1,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,800.00 | 1,800.00 |
| Janitors' Supplies | 350.00 | 350.00 |
| Fuel (for Heating) | 1,300.00 | 1,300.00 |
| Water, Electricity and Gas | 550.00 | 550.00 |
| Other Costs | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 300.00 | 300.00 |
| Upkeep of Grounds | 150.00 | 150.00 |
| Other Costs | 50.00 | 50.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Salaries | 1,400.00 | 1,400.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 100.00 | 100.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 2,200.00 | 2,200.00 |
| Travel | 25.00 | 25.00 |
| Other Vocational Costs | 150.00 | 150.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 500.00 | 600.00 |
| Library Books | 250.00 | 250.00 |

| | | |
|----------------------------------|---------------------|---------------------|
| TOTAL Felton, No. 54..... | \$ 42,030.00 | \$ 43,630.00 |
|----------------------------------|---------------------|---------------------|

PRATT'S, NO. 59

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,200.00 | 2,200.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 21.00 | 21.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 110.00 | 105.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 20.00 | 20.00 |
| Library Books | 20.00 | 20.00 |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Pratt's, No. 59..... | \$ 2,618.00 | \$ 2,713.00 |
|----------------------------|-------------|-------------|

ROSE VALLEY, NO. 79

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,200.00 | 2,200.00 |
| Instructional Service Supplies | 40.00 | 40.00 |
| Text Books | 80.00 | 80.00 |
| Other Costs | 28.00 | 28.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 110.00 | 115.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 28.00 | 28.00 |
| Library Books | 35.00 | 35.00 |

| | | |
|--------------------------------|-------------|-------------|
| TOTAL Rose Valley, No. 79..... | \$ 2,698.00 | \$ 2,803.00 |
|--------------------------------|-------------|-------------|

APPROPRIATION EXPENSES OF STATE GOVERNMENT

CHESWOLD, NO. 83

| | | |
|--|-------------|-------------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Other Costs | \$ 2.00 | \$ 2.00 |
| INSTRUCTIONAL SERVICE | | |
| Salaries | 1,220.00 | 1,220.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 23.00 | 21.00 |
| Teachers Salary Increments | | 100.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 300.00 | 300.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 175.00 | 175.00 |
| Water, Electricity and Gas | 20.00 | 20.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |
| CAPITAL OUTLAY | | |
| Equipment | 23.00 | 21.00 |
| Library Books | 15.00 | 15.00 |
| <hr/> | | |
| TOTAL Cheswold, No. 83..... | \$ 1,918.00 | \$ 2,014.00 |
| <hr/> | | |

LITTLE CREEK, NO. 85

| | | |
|--------------------------------------|----------|----------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Other Costs | \$ 2.00 | \$ 2.00 |
| INSTRUCTIONAL SERVICE | | |
| Salaries | 1,220.00 | 1,220.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 100.00 | 100.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 22.00 | 22.00 |
| Library Books | 22.00 | 21.00 |

| | | |
|---------------------------------|-------------|-------------|
| TOTAL Little Creek, No. 85..... | \$ 1,616.00 | \$ 1,715.00 |
|---------------------------------|-------------|-------------|

WILEY'S, NO. 93

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,220.00 | 1,220.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 45.00 | 45.00 |
| Other Costs | 22.00 | 21.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 135.00 | 130.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

APPROPRIATION EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 22.00 | 22.00 |
| Library Books | 21.00 | 21.00 |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Wiley's, No. 93..... | \$ 1,642.00 | \$ 1,736.00 |
|----------------------------|-------------|-------------|

HARTLY, NO. 96

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|---------|---------|
| Office Supplies | \$ 6.00 | \$ 6.00 |
| Telephone and Telegraph | 30.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 8,300.00 | 8,300.00 |
| Instructional Service Supplies | 150.00 | 150.00 |
| Text Books | 300.00 | 300.00 |
| Other Costs | 75.00 | 75.00 |
| Teachers Salary Increments | | 500.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 850.00 | 850.00 |
| Janitors' Supplies | 50.00 | 50.00 |
| Fuel (for Heating) | 800.00 | 800.00 |
| Water, Electricity and Gas | 75.00 | 75.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 200.00 | 200.00 |
| Upkeep of Grounds | 25.00 | 25.00 |
| Other Costs | 100.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Library Books | 100.00 | 100.00 |
|---------------------|--------|--------|

| | | |
|---------------------------|--------------|--------------|
| TOTAL Hartly, No. 96..... | \$ 11,111.00 | \$ 11,706.00 |
|---------------------------|--------------|--------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CLAYTON, NO. 119

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|---------|---------|
| Office Supplies | \$ 8.00 | \$ 8.00 |
| Telephone and Telegraph | 45.00 | 45.00 |
| Other Costs | 15.00 | 15.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 15,000.00 | 15,000.00 |
| Instructional Service Supplies | 325.00 | 325.00 |
| Text Books | 450.00 | 450.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 700.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,150.00 | 1,150.00 |
| Janitors' Supplies | 148.00 | 148.00 |
| Fuel (for Heating) | 1,300.00 | 1,300.00 |
| Water, Electricity and Gas | 300.00 | 300.00 |
| Other Costs | 25.00 | 25.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 30.00 |
| Upkeep of Grounds | 25.00 | 25.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 185.00 | 75.00 |
| Library Books | 100.00 | 100.00 |

| | | |
|-----------------------------|--------------|--------------|
| TOTAL Clayton, No. 119..... | \$ 19,256.00 | \$ 19,846.00 |
|-----------------------------|--------------|--------------|

HOUSTON, NO. 125

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|----------|----------|
| Office Supplies | \$ 10.00 | \$ 10.00 |
| Travel | 5.00 | 5.00 |
| Telephone and Telegraph | 5.00 | 5.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 5,600.00 | 5,600.00 |
| Instructional Service Supplies | 75.00 | 75.00 |
| Text Books | 100.00 | 100.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 450.00 | 450.00 |
| Janitors' Supplies | 40.00 | 40.00 |
| Fuel (for Heating) | 600.00 | 600.00 |
| Water, Electricity and Gas | 75.00 | 75.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 35.00 | 35.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 25.00 | 25.00 |
| Library Books | 25.00 | 25.00 |

| | | |
|-----------------------------|-------------|-------------|
| TOTAL Houston, No. 125..... | \$ 7,115.00 | \$ 7,315.00 |
|-----------------------------|-------------|-------------|

CLAYTON, NO. 136-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 4.00 | \$ 4.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,950.00 | 1,950.00 |
| Instructional Service Supplies | 35.00 | 35.00 |
| Text Books | 45.00 | 45.00 |
| Other Costs | 30.00 | 30.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 200.00 | 200.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 7.00 | 7.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 115.00 | 115.00 |
| Library Books | 20.00 | 12.00 |

| | | |
|-------------------------------|-------------|-------------|
| TOTAL Clayton, No. 136-C..... | \$ 2,573.00 | \$ 2,665.00 |
|-------------------------------|-------------|-------------|

KENTON, NO. 140-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,655.00 | 3,655.00 |
| Instructional Service Supplies | 65.00 | 65.00 |
| Text Books | 132.00 | 132.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 150.00 | 150.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 185.00 | 180.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 50.00 | 46.00 |
| Library Books | 66.00 | 63.00 |

| | | |
|------------------------------|-------------|-------------|
| TOTAL Kenton, No. 140-C..... | \$ 4,415.00 | \$ 4,603.00 |
|------------------------------|-------------|-------------|

LOCKWOOD, NO. 142-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,975.00 | 1,975.00 |
| Instructional Service Supplies | 40.00 | 40.00 |
| Text Books | 60.00 | 60.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 175.00 | 180.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 25.00 | 25.00 |
| Library Books | 17.00 | 15.00 |

| | | |
|--------------------------------|-------------|-------------|
| TOTAL Lockwood, No. 142-C..... | \$ 2,469.00 | \$ 2,572.00 |
|--------------------------------|-------------|-------------|

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

CHESWOLD, NO. 143-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 4.00 | \$ 4.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,555.00 | 3,555.00 |
| Instructional Service Supplies | 75.00 | 75.00 |
| Text Books | 165.00 | 165.00 |
| Other Costs | 40.00 | 40.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 150.00 | 150.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 350.00 | 350.00 |
| Water, Electricity and Gas | 20.00 | 20.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 56.00 | 53.00 |
| Library Books | 80.00 | 73.00 |

| | | |
|--------------------------------|-------------|-------------|
| TOTAL Cheswold, No. 143-C..... | \$ 4,585.00 | \$ 4,775.00 |
|--------------------------------|-------------|-------------|

FORK BRANCH, NO. 145-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,975.00 | 1,975.00 |
| Instructional Service Supplies | 50.00 | 50.00 |
| Text Books | 80.00 | 80.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 185.00 | 180.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 32.00 | 26.00 |
| Library Books | 39.00 | 35.00 |

TOTAL Fork Branch,

| | | |
|-----------------|-------------|-------------|
| No. 145-C | \$ 2,553.00 | \$ 2,638.00 |
|-----------------|-------------|-------------|

WHITE OAK, NO. 146-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,975.00 | 1,975.00 |
| Instructional Service Supplies | 35.00 | 35.00 |
| Text Books | 80.00 | 80.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 125.00 | 120.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|------------------------------------|--------|-------|
| Equipment | 36.00 | 37.00 |
| Library Books | 38.00 | 35.00 |
| Electric Wiring and Fixtures | 100.00 | |

| | | |
|---------------------------------|-------------|-------------|
| TOTAL White Oak, No. 146-C..... | \$ 2,586.00 | \$ 2,599.00 |
|---------------------------------|-------------|-------------|

PARKER'S CHAPEL, NO. 153-C**GENERAL OR ADMINISTRATIVE CONTROL**

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,450.00 | 1,450.00 |
| Instructional Service Supplies | 24.00 | 24.00 |
| Text Books | 30.00 | 30.00 |
| Other Costs | 16.00 | 14.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 135.00 | 130.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 27.00 | 23.00 |
| Library Books | 15.00 | 12.00 |

| | | |
|---|-------------|-------------|
| TOTAL Parker's Chapel, No. 153-C | \$ 1,869.00 | \$ 1,875.00 |
|---|-------------|-------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

WOODSIDE, NO. 154-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,075.00 | 2,075.00 |
| Instructional Service Supplies | 20.00 | 20.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 135.00 | 130.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 27.00 | 20.00 |
| Library Books | 20.00 | 18.00 |

| | | |
|--------------------------------|-------------|-------------|
| TOTAL Woodside, No. 154-C..... | \$ 2,489.00 | \$ 2,595.00 |
|--------------------------------|-------------|-------------|

MT. OLIVE, NO. 155-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 2.00 | \$ 2.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 45.00 | 45.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 135.00 | 130.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 22.00 | 20.00 |
| Library Books | 23.00 | 25.00 |

| | | |
|---------------------------------|-------------|-------------|
| TOTAL Mt. Olive, No. 155-C..... | \$ 2,072.00 | \$ 2,187.00 |
|---------------------------------|-------------|-------------|

VIOLA, NO. 156-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 4.00 | \$ 4.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,505.00 | 3,505.00 |
| Instructional Service Supplies | 55.00 | 55.00 |
| Text Books | 100.00 | 100.00 |
| Other Costs | 34.00 | 34.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 150.00 | 150.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 285.00 | 275.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|------------------------------------|--------------------|--------------------|
| Equipment | 34.00 | 34.00 |
| Library Books | 50.00 | 45.00 |
| TOTAL Viola, No. 156-C..... | \$ 4,287.00 | \$ 4,292.00 |

UNION, NO. 158-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 4.00 | \$ 4.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,005.00 | 3,005.00 |
| Instructional Service Supplies | 50.00 | 50.00 |
| Text Books | 100.00 | 100.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 210.00 | 200.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 33.00 | 19.00 |
| Library Books | 46.00 | 43.00 |

| | | |
|------------------------------------|--------------------|--------------------|
| TOTAL Union, No. 158-C..... | \$ 3,668.00 | \$ 3,861.00 |
|------------------------------------|--------------------|--------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

REEVE'S CROSSING, NO. 159-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 2.00 | \$ | 2.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,875.00 | 1,875.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 125.00 | 130.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 22.00 | 18.00 |
| Library Books | 25.00 | 25.00 |

TOTAL Reeve's Crossing,

| | | | | |
|-----------------|----|----------|----|----------|
| No. 159-C | \$ | 2,294.00 | \$ | 2,415.00 |
|-----------------|----|----------|----|----------|

JOHN WESLEY, NO. 160-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 2.00 | \$ | 2.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,555.00 | 1,555.00 |
| Instructional Service Supplies | 15.00 | 15.00 |
| Text Books | 20.00 | 20.00 |
| Other Costs | 10.00 | 10.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 10.00 |
| Fuel (for Heating) | 80.00 | 80.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Library Books | 10.00 | 10.00 |
|---------------------|-------|-------|

| | | |
|--|--------------------|--------------------|
| TOTAL John Wesley, No. 160-C..... | \$ 1,847.00 | \$ 1,967.00 |
|--|--------------------|--------------------|

CEDAR NECK, NO. 1

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,225.00 | 1,225.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 30.00 | 30.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 9.00 | 9.00 |
| Fuel (for Heating) | 115.00 | 115.00 |
| Other Costs | 5.00 | 5.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 40.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 26.00 | 38.00 |
| Library Books | 20.00 | 20.00 |

| | | |
|------------------------------|-------------|-------------|
| TOTAL Cedar Neck, No. 1..... | \$ 1,618.00 | \$ 1,740.00 |
|------------------------------|-------------|-------------|

LINCOLN, NO. 3

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 5,400.00 | 5,400.00 |
| Instructional Service Supplies | 75.00 | 75.00 |
| Text Books | 132.00 | 132.00 |
| Other Costs | 60.00 | 60.00 |
| Teachers Salary Increments | | 300.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 650.00 | 650.00 |
| Janitors' Supplies | 40.00 | 40.00 |
| Fuel (for Heating) | 700.00 | 700.00 |
| Water, Electricity and Gas | 45.00 | 45.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 75.00 | 75.00 |
| Other Costs | 50.00 | 50.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 50.00 | 50.00 |
| Library Books | 43.00 | 43.00 |

| | | |
|---------------------------|-------------|-------------|
| TOTAL Lincoln, No. 3..... | \$ 7,325.00 | \$ 7,625.00 |
|---------------------------|-------------|-------------|

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

MILTON, NO. 8

| | | |
|--|---------------------|---------------------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Salaries | \$ 1,250.00 | \$ 1,250.00 |
| Office Supplies | 50.00 | 50.00 |
| Travel | 50.00 | 50.00 |
| Telephone and Telegraph | 50.00 | 50.00 |
| INSTRUCTIONAL SERVICE | | |
| Salaries | 33,000.00 | 33,000.00 |
| Instructional Service Supplies | 575.00 | 575.00 |
| Text Books | 700.00 | 700.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 2,000.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 2,760.00 | 2,760.00 |
| Janitors' Supplies | 150.00 | 150.00 |
| Fuel (for Heating) | 1,250.00 | 1,250.00 |
| Water, Electricity and Gas | 550.00 | 550.00 |
| Other Costs | 50.00 | 50.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 500.00 | 500.00 |
| AUXILIARY AND COORDINATE ACTIVITIES | | |
| Vocational Education | | |
| (Ag., Home Ec.) | | |
| Salaries | 7,300.00 | 7,300.00 |
| Travel | 175.00 | 175.00 |
| Other Vocational Costs | 300.00 | 300.00 |
| Adult Education | | |
| Salaries | 200.00 | 200.00 |
| Other Adult Education Costs | 75.00 | 75.00 |
| CAPITAL OUTLAY | | |
| Equipment | 100.00 | 100.00 |
| Library Books | 200.00 | 200.00 |
| TOTAL Milton, No. 8..... | \$ 49,335.00 | \$ 51,335.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MILLSBORO, NO. 23

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,300.00 | \$ 1,300.00 |
| Office Supplies | 40.00 | 40.00 |
| Travel | 75.00 | 75.00 |
| Telephone and Telegraph | 70.00 | 70.00 |
| Other Costs | 25.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 38,500.00 | 38,500.00 |
| Instructional Service Supplies | 800.00 | 800.00 |
| Text Books | 900.00 | 900.00 |
| Other Costs | 200.00 | 200.00 |
| Teachers Salary Increments | | 1,800.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,800.00 | 1,800.00 |
| Janitors' Supplies | 400.00 | 400.00 |
| Fuel (for Heating) | 2,700.00 | 2,700.00 |
| Water, Electricity and Gas | 500.00 | 500.00 |
| Other Costs | 25.00 | 25.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|----------------------------------|----------|--------|
| Supplies and Replacements | 300.00 | 300.00 |
| Upkeep of Grounds | 300.00 | 100.00 |
| Other Costs | 100.00 | 100.00 |
| Connecting with City Sewer | 1,000.00 | |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,450.00 | 1,450.00 |
| Other Health Costs | 150.00 | 150.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 1,950.00 | 1,950.00 |
| Other Vocational Costs | 200.00 | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|-------------------------------------|---------------------|---------------------|
| Equipment | 600.00 | 500.00 |
| Library Books | 300.00 | 300.00 |
| TOTAL Millsboro, No. 23..... | \$ 53,685.00 | \$ 54,185.00 |

LORD BALTIMORE, NO. 28

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,050.00 | \$ 1,050.00 |
| Office Supplies | 80.00 | 80.00 |
| Travel | 50.00 | 50.00 |
| Telephone and Telegraph | 60.00 | 60.00 |
| Other Costs | 25.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 31,200.00 | 31,200.00 |
| Instructional Service Supplies | 650.00 | 650.00 |
| Travel | 50.00 | 50.00 |
| Text Books | 750.00 | 750.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 1,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 2,400.00 | 2,400.00 |
| Janitors' Supplies | 250.00 | 250.00 |
| Fuel (for Heating) | 2,800.00 | 2,800.00 |
| Water, Electricity and Gas | 800.00 | 800.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|----------|----------|
| Repairs and Replacements | | |
| Supplies and Replacements | 1,000.00 | 1,000.00 |
| Other Costs | 100.00 | 100.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|--------------------------|----------|----------|
| Promotion of Health | | |
| Salaries | 1,450.00 | 1,450.00 |
| Travel | 60.00 | 60.00 |
| Other Health Costs | 40.00 | 40.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Vocational Education (Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 4,800.00 | 4,800.00 |
| Travel | 200.00 | 200.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 200.00 | 200.00 |
| Library Books | 100.00 | 100.00 |
| Other Costs | 20.00 | 20.00 |

| | | |
|--|---------------------|---------------------|
| TOTAL Lord Baltimore, No. 28..... | \$ 48,535.00 | \$ 50,035.00 |
|--|---------------------|---------------------|

WILLIAMSVILLE, NO. 30

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,680.00 | 3,680.00 |
| Instructional Service Supplies | 60.00 | 60.00 |
| Text Books | 80.00 | 80.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 120.00 | 120.00 |
| Water, Electricity and Gas | 15.00 | 15.00 |
| Other Costs | 5.00 | 5.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 50.00 | 50.00 |
| Other Costs | 10.00 | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 30.00 | 30.00 |
| Library Books | 44.00 | 46.00 |

| | | |
|---|--------------------|--------------------|
| TOTAL Williamsville, No. 30..... | \$ 4,269.00 | \$ 4,471.00 |
|---|--------------------|--------------------|

ROXANA, NO. 31

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|----------|----------|
| Office Supplies | \$ 10.00 | \$ 10.00 |
| Telephone and Telegraph | 35.00 | 35.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 4,700.00 | 4,700.00 |
| Instructional Service Supplies | 100.00 | 100.00 |
| Text Books | 150.00 | 150.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 300.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 500.00 | 500.00 |
| Janitors' Supplies | 75.00 | 75.00 |
| Fuel (for Heating) | 620.00 | 620.00 |
| Water, Electricity and Gas | 150.00 | 150.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 100.00 | 100.00 |
| Upkeep of Grounds | 75.00 | 75.00 |
| Other Costs | 50.00 | 50.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|--------------------------|-------|-------|
| Promotion of Health | | |
| Other Health Costs | 25.00 | 25.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Library Books | 55.00 | 55.00 |
| Other Costs | 25.00 | 25.00 |

| | | |
|----------------------------------|--------------------|--------------------|
| TOTAL Roxana, No. 31..... | \$ 6,770.00 | \$ 7,070.00 |
|----------------------------------|--------------------|--------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

SELBYVILLE, NO. 32

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,100.00 | \$ 1,100.00 |
| Office Supplies | 75.00 | 75.00 |
| Travel | 75.00 | 75.00 |
| Telephone and Telegraph | 150.00 | 150.00 |
| Other Costs | 25.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 30,000.00 | 30,000.00 |
| Instructional Service Supplies | 600.00 | 600.00 |
| Text Books | 650.00 | 650.00 |
| Other Costs | 100.00 | 100.00 |
| Teachers Salary Increments | | 1,600.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,650.00 | 1,650.00 |
| Janitors' Supplies | 300.00 | 300.00 |
| Fuel (for Heating) | 1,600.00 | 1,600.00 |
| Water, Electricity and Gas | 650.00 | 650.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 200.00 | 300.00 |
| Upkeep of Grounds | 75.00 | 75.00 |
| Other Costs | 100.00 | 100.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Salaries | 1,450.00 | 1,450.00 |
| Other Health Costs | 75.00 | 75.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 4,600.00 | 4,600.00 |
| Travel | 125.00 | 125.00 |
| Other Vocational Costs | 200.00 | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|--------------------------------------|---------------------|---------------------|
| Equipment | 300.00 | 300.00 |
| Library Books | 300.00 | 300.00 |
| TOTAL Selbyville, No. 32..... | \$ 44,450.00 | \$ 46,150.00 |

STOCKLEY, NO. 34

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,175.00 | 2,175.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 10.00 | 10.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 150.00 | 150.00 |
| Water, Electricity and Gas | 10.00 | 12.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|------------------------------------|--------------------|--------------------|
| Equipment | 25.00 | 15.00 |
| Library Books | 20.00 | 20.00 |
| TOTAL Stockley, No. 34..... | \$ 2,630.00 | \$ 2,722.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

GUMBORO, NO. 37

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|---------|---------|
| Office Supplies | \$ 5.00 | \$ 5.00 |
| Travel | 25.00 | 25.00 |
| Telephone and Telegraph | 5.00 | 5.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 7,300.00 | 7,300.00 |
| Instructional Service Supplies | 200.00 | 200.00 |
| Text Books | 300.00 | 300.00 |
| Teachers Salary Increments | | 400.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 700.00 | 700.00 |
| Janitors' Supplies | 60.00 | 60.00 |
| Fuel (for Heating) | 600.00 | 600.00 |
| Water, Electricity and Gas | 100.00 | 100.00 |
| Other Costs | 30.00 | 30.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 100.00 | 100.00 |
| Upkeep of Grounds | 25.00 | 25.00 |
| Other Costs | 20.00 | 20.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 180.00 | 180.00 |
| Library Books | 100.00 | 100.00 |

| | | |
|----------------------------|-------------|--------------|
| TOTAL Gumboro, No. 37..... | \$ 9,750.00 | \$ 10,150.00 |
|----------------------------|-------------|--------------|

SYCAMORE, NO. 44

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|--|-------------|-------------|
| Text Books | 60.00 | 60.00 |
| Other Costs | 30.00 | 30.00 |
| Teachers Salary Increments | | 100.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 15.00 | 15.00 |
| Fuel (for Heating) | 160.00 | 160.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |
| CAPITAL OUTLAY | | |
| Library Books | 25.00 | 25.00 |
| <hr/> | | |
| TOTAL Sycamore, No. 44..... | \$ 2,153.00 | \$ 2,253.00 |
| <hr/> | | |

CONCORD, NO. 58

| | | | |
|--|----------|------|----------|
| GENERAL OR ADMINISTRATIVE CONTROL | | | |
| Office Supplies | \$ | 3.00 | \$ 3.00 |
| INSTRUCTIONAL SERVICE | | | |
| Salaries | 1,150.00 | | 1,150.00 |
| Instructional Service Supplies | 30.00 | | 30.00 |
| Text Books | 40.00 | | 40.00 |
| Other Costs | 45.00 | | 45.00 |
| Teachers Salary Increments | | | 100.00 |
| OPERATION OF PLANT | | | |
| Salaries—Janitors, Engineers, etc..... | 100.00 | | 100.00 |
| Janitors' Supplies | 20.00 | | 20.00 |
| Fuel (for Heating) | 100.00 | | 100.00 |
| Water, Electricity and Gas | 25.00 | | 25.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|------------------------------------|--------|-------|
| Equipment | 20.00 | |
| Library Books | 20.00 | 20.00 |
| Electric Wiring and Fixtures | 100.00 | |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Concord, No. 58..... | \$ 1,688.00 | \$ 1,668.00 |
|----------------------------|-------------|-------------|

BRIDGEVILLE, NO. 90

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,300.00 | \$ 1,300.00 |
| Office Supplies | 75.00 | 75.00 |
| Travel | 75.00 | 75.00 |
| Telephone and Telegraph | 75.00 | 75.00 |
| Other Costs | 50.00 | 50.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 53,000.00 | 53,000.00 |
| Instructional Service Supplies | 800.00 | 800.00 |
| Text Books | 900.00 | 900.00 |
| Other Costs | 75.00 | 75.00 |
| Teachers Salary Increments | | 2,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 3,000.00 | 3,000.00 |
| Janitors' Supplies | 350.00 | 350.00 |
| Fuel (for Heating) | 1,700.00 | 1,700.00 |
| Water, Electricity and Gas | 650.00 | 650.00 |
| Other Costs | 50.00 | 50.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 300.00 | 300.00 |
| Upkeep of Grounds | 100.00 | 100.00 |
| Other Costs | 100.00 | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,300.00 | 1,300.00 |
| Travel | 75.00 | 75.00 |
| Other Health Costs | 65.00 | 65.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 5,000.00 | 5,000.00 |
| Travel | 125.00 | 125.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 600.00 | 400.00 |
| Library Books | 400.00 | 200.00 |

| | | |
|--------------------------------|--------------|--------------|
| TOTAL Bridgeville, No. 90..... | \$ 70,365.00 | \$ 72,465.00 |
|--------------------------------|--------------|--------------|

GREENWOOD, NO. 91

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,100.00 | \$ 1,100.00 |
| Office Supplies | 75.00 | 75.00 |
| Travel | 25.00 | 25.00 |
| Telephone and Telegraph | 60.00 | 60.00 |
| Other Costs | 25.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 27,500.00 | 27,500.00 |
| Instructional Service Supplies | 660.00 | 660.00 |
| Text Books | 750.00 | 750.00 |
| Other Costs | 200.00 | 200.00 |
| Teachers Salary Increments | | 1,550.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 2,200.00 | 2,200.00 |
| Janitors' Supplies | 275.00 | 275.00 |
| Fuel (for Heating) | 2,300.00 | 2,300.00 |
| Water, Electricity and Gas | 560.00 | 560.00 |
| Other Costs | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 200.00 | 200.00 |
| Upkeep of Grounds | 35.00 | 35.00 |
| Other Costs | 75.00 | 75.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Vocational Education
(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 4,400.00 | 4,400.00 |
| Travel | 125.00 | 125.00 |
| Other Vocational Costs | 250.00 | 250.00 |

CAPITAL OUTLAY

| | | |
|---|--------|--------|
| Exterior Painting, New Floors in Elementary School, Stoves, Appa- ratus, Machines | 600.00 | 400.00 |
| Library Books | 250.00 | 250.00 |
| Other Costs | 500.00 | |

| | | |
|------------------------------|--------------|--------------|
| TOTAL Greenwood, No. 91..... | \$ 42,215.00 | \$ 43,065.00 |
|------------------------------|--------------|--------------|

JOHN M. CLAYTON, NO. 97

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-----------|-----------|
| Salaries | \$ 800.00 | \$ 800.00 |
| Office Supplies | 75.00 | 75.00 |
| Travel | 100.00 | 100.00 |
| Telephone and Telegraph | 70.00 | 70.00 |
| Other Costs | 25.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 32,500.00 | 32,500.00 |
| Instructional Service Supplies | 500.00 | 500.00 |
| Travel | 50.00 | 50.00 |
| Text Books | 750.00 | 750.00 |
| Other Costs | 100.00 | 100.00 |
| Teachers Salary Increments | | 1,800.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 1,800.00 | 1,800.00 |
| Janitors' Supplies | 200.00 | 200.00 |
| Fuel (for Heating) | 2,000.00 | 2,000.00 |
| Water, Electricity and Gas | 350.00 | 350.00 |
| Other Costs | 150.00 | 150.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 450.00 | 450.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 100.00 | 100.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,450.00 | 1,450.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 50.00 | 50.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 4,000.00 | 4,000.00 |
| Travel | 125.00 | 125.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 400.00 | 250.00 |
| Library Books | 200.00 | 200.00 |

| | | |
|---|---------------------|---------------------|
| TOTAL John M. Clayton, No. 97..... | \$ 46,545.00 | \$ 48,195.00 |
|---|---------------------|---------------------|

BETHEL, NO. 99

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 3.00 | \$ 3.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,630.00 | 1,630.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 30.00 | 30.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 150.00 | 150.00 |
| Water, Electricity and Gas | 25.00 | 25.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 10.00 | 10.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 25.00 | |
| Library Books | 24.00 | 24.00 |

| | | |
|---------------------------|-------------|-------------|
| TOTAL Bethel, No. 99..... | \$ 2,102.00 | \$ 2,177.00 |
|---------------------------|-------------|-------------|

ELLENDALE, NO. 125

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-----------|-----------|
| Salaries | \$ 250.00 | \$ 250.00 |
| Office Supplies | 25.00 | 25.00 |
| Telephone and Telegraph | 50.00 | 50.00 |
| Other Costs | 25.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 7,200.00 | 7,200.00 |
| Instructional Service Supplies | 200.00 | 200.00 |
| Travel | 40.00 | 40.00 |
| Text Books | 260.00 | 260.00 |
| Other Costs | 100.00 | 100.00 |
| Teachers Salary Increments | | 300.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 900.00 | 900.00 |
| Janitors' Supplies | 100.00 | 100.00 |
| Fuel (for Heating) | 700.00 | 700.00 |
| Water, Electricity and Gas | 120.00 | 120.00 |
| Other Costs | 75.00 | 75.00 |

APPROPRIATION EXPENSES OF STATE GOVERNMENT

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 100.00 | 100.00 |
| Upkeep of Grounds | 100.00 | 50.00 |
| Other Costs | 90.00 | 90.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|----------|
| Equipment | 400.00 | 1,000.00 |
| Library Books | 115.00 | 115.00 |

| | | |
|-------------------------------|--------------|--------------|
| TOTAL Ellendale, No. 125..... | \$ 10,850.00 | \$ 11,700.00 |
|-------------------------------|--------------|--------------|

DELMAR, NO. 163

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 1,200.00 | \$ 1,200.00 |
| Office Supplies | 45.00 | 45.00 |
| Travel | 75.00 | 75.00 |
| Telephone and Telegraph | 54.00 | 54.00 |
| Other Costs | 30.00 | 30.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 40,000.00 | 40,000.00 |
| Instructional Service Supplies | 700.00 | 700.00 |
| Travel | 30.00 | 30.00 |
| Text Books | 700.00 | 650.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 2,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 2,400.00 | 2,400.00 |
| Janitors' Supplies | 85.00 | 85.00 |
| Fuel (for Heating) | 1,600.00 | 1,600.00 |
| Water, Electricity and Gas | 675.00 | 675.00 |
| Other Costs | 150.00 | 150.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 300.00 | 200.00 |
| Upkeep of Grounds | 20.00 | 20.00 |
| Other Costs | 30.00 | 30.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,200.00 | 1,200.00 |
| Travel | 100.00 | 100.00 |
| Other Health Costs | 50.00 | 50.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 2,400.00 | 2,400.00 |
| Travel | 20.00 | 20.00 |
| Other Vocational Costs | 150.00 | 150.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|----------|
| Equipment | 250.00 | 1,175.00 |
| Library Books | 300.00 | 400.00 |
| Other Costs | 190.00 | |

| | | |
|----------------------------|--------------|--------------|
| TOTAL Delmar, No. 163..... | \$ 52,804.00 | \$ 55,489.00 |
|----------------------------|--------------|--------------|

BLADES, NO. 172

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 5.00 | \$ 5.00 |
| Other Costs | 5.00 | 5.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 4,400.00 | 4,400.00 |
| Instructional Service Supplies | 150.00 | 150.00 |
| Text Books | 200.00 | 200.00 |
| Other Costs | 100.00 | 100.00 |
| Teachers Salary Increments | | 300.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 850.00 | 850.00 |
| Janitors' Supplies | 65.00 | 65.00 |
| Fuel (for Heating) | 450.00 | 450.00 |
| Water, Electricity and Gas | 50.00 | 50.00 |
| Other Costs | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 100.00 | 100.00 |
| Upkeep of Grounds | 25.00 | 25.00 |
| Other Costs | 50.00 | 50.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|--------------------------|-------|-------|
| Promotion of Health | | |
| Other Health Costs | 20.00 | 20.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 400.00 | 400.00 |
| Library Books | 100.00 | 100.00 |

| | | |
|----------------------------|-------------|-------------|
| TOTAL Blades, No. 172..... | \$ 7,020.00 | \$ 7,320.00 |
|----------------------------|-------------|-------------|

SLAUGHTER NECK, NO. 193-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 6.00 | \$ 6.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 5,095.00 | 5,095.00 |
| Instructional Service Supplies | 100.00 | 100.00 |
| Text Books | 160.00 | 160.00 |
| Other Costs | 60.00 | 60.00 |
| Teachers Salary Increments | | 300.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 300.00 | 300.00 |
| Janitors' Supplies | 35.00 | 35.00 |
| Fuel (for Heating) | 300.00 | 300.00 |
| Water, Electricity and Gas | 25.00 | 25.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|--|-------------|-------------|
| Equipment | 45.00 | 45.00 |
| Library Books | 70.00 | 75.00 |
| <hr/> | | |
| TOTAL Slaughter Neck, No. 193-C | \$ 6,236.00 | \$ 6,541.00 |
| <hr/> | | |

LINCOLN, NO 194-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 3.00 | \$ 3.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,605.00 | 1,605.00 |
| Instructional Service Supplies | 40.00 | 40.00 |
| Text Books | 80.00 | 80.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 18.00 | 18.00 |
| Fuel (for Heating) | 125.00 | 125.00 |
| Water, Electricity and Gas | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|-------------------------------|-------------|-------------|
| Equipment | 15.00 | 15.00 |
| Library Books | 43.00 | 45.00 |
| <hr/> | | |
| TOTAL Lincoln, No. 194-C..... | \$ 2,094.00 | \$ 2,196.00 |
| <hr/> | | |

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

ELLENDALE, NO. 195-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | |
|-------------------|---------|----|------|
| Other Costs | \$ 3.00 | \$ | 3.00 |
|-------------------|---------|----|------|

INSTRUCTIONAL SERVICE

| | | | |
|--------------------------------------|----------|--|----------|
| Salaries | 1,900.00 | | 1,900.00 |
| Instructional Service Supplies | 35.00 | | 35.00 |
| Text Books | 50.00 | | 50.00 |
| Other Costs | 25.00 | | 25.00 |
| Teachers Salary Increments | | | 100.00 |

OPERATION OF PLANT

| | | | |
|--|--------|--|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | | 100.00 |
| Janitors' Supplies | 16.00 | | 16.00 |
| Fuel (for Heating) | 150.00 | | 150.00 |
| Water, Electricity and Gas | 20.00 | | 20.00 |

MAINTENANCE

| | | | |
|---------------------------------|-------|--|-------|
| Repairs and Replacements | | | |
| Supplies and Replacements | 25.00 | | 25.00 |
| Other Costs | 5.00 | | 5.00 |

CAPITAL OUTLAY

| | | | |
|---------------------|-------|--|-------|
| Equipment | 20.00 | | 20.00 |
| Library Books | 25.00 | | 25.00 |

| | | | |
|---------------------------------|-------------|----|----------|
| TOTAL Ellendale, No. 195-C..... | \$ 2,374.00 | \$ | 2,474.00 |
|---------------------------------|-------------|----|----------|

MILTON, NO. 196-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | |
|-------------------|---------|----|------|
| Other Costs | \$ 5.00 | \$ | 5.00 |
|-------------------|---------|----|------|

INSTRUCTIONAL SERVICE

| | | | |
|--------------------------------------|----------|--|----------|
| Salaries | 3,580.00 | | 3,580.00 |
| Instructional Service Supplies | 75.00 | | 75.00 |
| Text Books | 140.00 | | 140.00 |
| Other Costs | 20.00 | | 20.00 |
| Teachers Salary Increments | | | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 150.00 | 150.00 |
| Janitors' Supplies | 30.00 | 30.00 |
| Fuel (for Heating) | 275.00 | 275.00 |
| Water, Electricity and Gas | 25.00 | 25.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 30.00 |
| Upkeep of Grounds | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 30.00 | 30.00 |
| Library Books | 70.00 | 70.00 |

| | | |
|------------------------------|-------------|-------------|
| TOTAL Milton, No. 196-C..... | \$ 4,440.00 | \$ 4,640.00 |
|------------------------------|-------------|-------------|

DRAWBRIDGE, NO. 197-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,975.00 | 1,975.00 |
| Instructional Service Supplies | 40.00 | 40.00 |
| Text Books | 60.00 | 60.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 18.00 | 19.00 |
| Fuel (for Heating) | 110.00 | 110.00 |
| Water, Electricity and Gas | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Other Costs | 10.00 | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 30.00 | 30.00 |

| | | |
|------------------------------------|----------|-------------|
| TOTAL Drawbridge, No. 197-C.....\$ | 2,416.00 | \$ 2,517.00 |
|------------------------------------|----------|-------------|

NASSAU, NO. 198-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,025.00 | 2,025.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 55.00 | 55.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 14.00 |
| Fuel (for Heating) | 130.00 | 130.00 |
| Water, Electricity and Gas | 14.40 | 14.40 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 15.00 | 15.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 25.00 | 25.00 |

| | | |
|--------------------------------|----------|-------------|
| TOTAL Nassau, No. 198-C.....\$ | 2,444.40 | \$ 2,546.40 |
|--------------------------------|----------|-------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

REHOBOTH, NO. 200-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 3.00 | \$ | 3.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,780.00 | 1,780.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 10.00 | 12.00 |
| Fuel (for Heating) | 125.00 | 125.00 |
| Water, Electricity and Gas | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 25.00 | 25.00 |

| | | | | |
|--------------------------------|----|----------|----|----------|
| TOTAL Rehoboth, No. 200-C..... | \$ | 2,223.00 | \$ | 2,325.00 |
|--------------------------------|----|----------|----|----------|

RABBIT'S FERRY, NO. 201-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-------------------|----|------|----|------|
| Other Costs | \$ | 3.00 | \$ | 3.00 |
|-------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,450.00 | 1,450.00 |
| Instructional Service Supplies | 35.00 | 35.00 |
| Text Books | 60.00 | 60.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

APPROPRIATION
EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 140.00 | 140.00 |
| Water, Electricity and Gas | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Upkeep of Grounds | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 30.00 | 28.00 |

| | | |
|--|-------------|-------------|
| TOTAL Rabbit's Ferry, No. 201-C | \$ 1,913.00 | \$ 2,011.00 |
|--|-------------|-------------|

FRIENDSHIP, NO. 202-C**GENERAL OR ADMINISTRATIVE CONTROL**

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,780.00 | 1,780.00 |
| Instructional Service Supplies | 25.00 | 25.00 |
| Text Books | 40.00 | 40.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 12.00 |
| Fuel (for Heating) | 184.00 | 184.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Upkeep of Grounds | 5.00 | 5.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 25.00 | 25.00 |

| | | |
|------------------------------------|----------|-------------|
| TOTAL Friendship, No. 202-C.....\$ | 2,234.00 | \$ 2,334.00 |
|------------------------------------|----------|-------------|

WARWICK, NO. 203-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,025.00 | 2,025.00 |
| Instructional Service Supplies | 40.00 | 40.00 |
| Text Books | 55.00 | 55.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 20.00 | 20.00 |
| Fuel (for Heating) | 175.00 | 175.00 |
| Water, Electricity and Gas | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 30.00 | 30.00 |

| | | |
|---------------------------------|----------|-------------|
| TOTAL Warwick, No. 203-C.....\$ | 2,518.00 | \$ 2,618.00 |
|---------------------------------|----------|-------------|

MILLSBORO, NO. 204-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 9.00 | \$ 9.00 |
|-----------------------|---------|---------|

APPROPRIATION EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 5,660.00 | 5,660.00 |
| Instructional Service Supplies | 225.00 | 100.00 |
| Text Books | 300.00 | 200.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 300.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 250.00 | 250.00 |
| Janitors' Supplies | 50.00 | 50.00 |
| Fuel (for Heating) | 300.00 | 300.00 |
| Water, Electricity and Gas | 75.00 | 75.00 |
| Other Costs | 5.00 | 5.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 60.00 | 60.00 |
| Upkeep of Grounds | 30.00 | 30.00 |
| Other Costs | 30.00 | 30.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 50.00 | 25.00 |
| Library Books | 100.00 | 100.00 |

| | | |
|---------------------------------|-------------|-------------|
| TOTAL Millsboro, No. 204-C..... | \$ 7,194.00 | \$ 7,244.00 |
|---------------------------------|-------------|-------------|

FRANKFORD, NO. 206-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 6.00 | \$ 6.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 5,680.00 | 5,680.00 |
| Instructional Service Supplies | 100.00 | 100.00 |
| Text Books | 200.00 | 200.00 |
| Other Costs | 30.00 | 30.00 |
| Teachers Salary Increments | | 300.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 250.00 | 250.00 |
| Janitors' Supplies | 45.00 | 45.00 |
| Fuel (for Heating) | 330.00 | 330.00 |
| Water, Electricity and Gas | 30.00 | 30.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 40.00 | 40.00 |
| Library Books | 100.00 | 100.00 |

| | | |
|-----------------------------------|----------|-------------|
| TOTAL Frankford, No. 206-C.....\$ | 6,861.00 | \$ 7,161.00 |
|-----------------------------------|----------|-------------|

BLACKWATER, NO. 207-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,275.00 | 3,275.00 |
| Instructional Service Supplies | 60.00 | 60.00 |
| Text Books | 100.00 | 100.00 |
| Other Costs | 30.00 | 30.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 200.00 | 200.00 |
| Janitors' Supplies | 30.00 | 30.00 |
| Fuel (for Heating) | 250.00 | 250.00 |
| Water, Electricity and Gas | 20.00 | 20.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 20.00 | 20.00 |
| Library Books | 50.00 | 50.00 |

| | | |
|------------------------------------|----------|-------------|
| TOTAL Blackwater, No. 207-C.....\$ | 4,090.00 | \$ 4,290.00 |
|------------------------------------|----------|-------------|

SELBYVILLE, NO. 210-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 6.00 | \$ 6.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 5,460.00 | 5,460.00 |
| Instructional Service Supplies | 100.00 | 100.00 |
| Text Books | 225.00 | 225.00 |
| Other Costs | 30.00 | 30.00 |
| Teachers Salary Increments | | 300.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 200.00 | 200.00 |
| Janitors' Supplies | 45.00 | 45.00 |
| Fuel (for Heating) | 350.00 | 350.00 |
| Water, Electricity and Gas | 30.00 | 30.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 30.00 |
| Other Costs | 30.00 | 30.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Library Books | 110.00 | 100.00 |
| Equipment | 40.00 | 40.00 |

| | | |
|------------------------------------|----------|-------------|
| TOTAL Selbyville, No. 210-C.....\$ | 6,656.00 | \$ 6,946.00 |
|------------------------------------|----------|-------------|

DELMAR, NO. 212½-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 3.00 | \$ 3.00 |
|-----------------------|---------|---------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,580.00 | 1,580.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 60.00 | 60.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 25.00 | 25.00 |
| Fuel (for Heating) | 140.00 | 140.00 |
| Other Costs | 30.00 | 30.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 20.00 | 20.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 40.00 | |
| Library Books | 30.00 | 30.00 |

| | | |
|--------------------------------------|--------------------|--------------------|
| TOTAL Delmar, No. 212½-C..... | \$ 2,093.00 | \$ 2,153.00 |
|--------------------------------------|--------------------|--------------------|

OWEN'S CORNER, NO. 213-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 6.00 | \$ 6.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,480.00 | 3,480.00 |
| Instructional Service Supplies | 65.00 | 65.00 |
| Text Books | 130.00 | 130.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 25.00 | 25.00 |
| Fuel (for Heating) | 250.00 | 250.00 |
| Water, Electricity and Gas | 30.00 | 30.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 40.00 | 40.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Library Books | 60.00 | 60.00 |
|---------------------|-------|-------|

| | | |
|---|-------------|-------------|
| TOTAL Owen's Corner, No. 213-C | \$ 4,251.00 | \$ 4,451.00 |
|---|-------------|-------------|

PORTSVILLE, NO. 214-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 3.00 | \$ 3.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,450.00 | 1,450.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 25.00 | 25.00 |
| Fuel (for Heating) | 110.00 | 110.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |
| Other Costs | 5.00 | 5.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 40.00 | 40.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Library Books | 25.00 | 25.00 |
| Other Costs | 300.00 | |

| | | |
|----------------------------------|-------------|-------------|
| TOTAL Portsville, No. 214-C..... | \$ 2,213.00 | \$ 2,013.00 |
|----------------------------------|-------------|-------------|

ROSS POINT, NO. 215-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 3.00 | \$ 3.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,705.00 | 1,705.00 |
| Instructional Service Supplies | 35.00 | 35.00 |
| Text Books | 70.00 | 70.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 25.00 | 25.00 |
| Fuel (for Heating) | 120.00 | 120.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 40.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|--------------------------------------|-------------|-------------|
| Equipment | 25.00 | 25.00 |
| Library Books | 35.00 | 35.00 |
| <hr/> | | |
| TOTAL Ross Point, No. 215-C | \$ 2,223.00 | \$ 2,333.00 |
| <hr/> | | |

CONCORD, NO. 216-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 3.00 | \$ 3.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,200.00 | 2,200.00 |
| Instructional Service Supplies | 40.00 | 40.00 |
| Text Books | 90.00 | 90.00 |
| Other Costs | 30.00 | 30.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 35.00 | 35.00 |
| Fuel (for Heating) | 200.00 | 200.00 |
| Water, Electricity and Gas | 30.00 | 30.00 |
| Other Costs | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 30.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|-------------------------------|-------------|-------------|
| Library Books | 40.00 | 40.00 |
| <hr/> | | |
| TOTAL Concord, No. 216-C..... | \$ 2,848.00 | \$ 3,048.00 |
| <hr/> | | |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

BLOCKSOM'S, NO. 218-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-----------------------|----|------|----|------|
| Office Supplies | \$ | 6.00 | \$ | 6.00 |
|-----------------------|----|------|----|------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 2,980.00 | 2,980.00 |
| Instructional Service Supplies | 65.00 | 65.00 |
| Text Books | 90.00 | 90.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 35.00 | 35.00 |
| Fuel (for Heating) | 150.00 | 150.00 |
| Water, Electricity and Gas | 50.00 | 50.00 |
| Other Costs | 10.00 | 10.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 30.00 | 30.00 |
| Upkeep of Grounds | 15.00 | 15.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|------------------------------------|--------|-------|
| Library Books | 40.00 | 40.00 |
| Other Costs | 30.00 | |
| Electric Wiring and Fixtures | 150.00 | |

| | | | | |
|----------------------------------|----|----------|----|----------|
| TOTAL Blocksom's, No. 218-C..... | \$ | 3,811.00 | \$ | 3,831.00 |
|----------------------------------|----|----------|----|----------|

MIDDLEFORD, NO. 219-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | | | |
|-----------------------|----|------|----|------|
| Office Supplies | \$ | 6.00 | \$ | 6.00 |
|-----------------------|----|------|----|------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,950.00 | 3,950.00 |
| Instructional Service Supplies | 60.00 | 60.00 |
| Text Books | 90.00 | 90.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 35.00 | 35.00 |
| Fuel (for Heating) | 230.00 | 230.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 40.00 | 40.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 5.00 | 5.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Library Books | 50.00 | 50.00 |
|---------------------|-------|-------|

| | | |
|------------------------------------|----------|-------------|
| TOTAL Middleford, No. 219-C.....\$ | 4,666.00 | \$ 4,866.00 |
|------------------------------------|----------|-------------|

BRIDGEVILLE, NO. 220-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 6.00 | \$ 6.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 7,200.00 | 7,200.00 |
| Instructional Service Supplies | 75.00 | 75.00 |
| Text Books | 200.00 | 200.00 |
| Other Costs | 50.00 | 50.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 500.00 | 500.00 |
| Janitors' Supplies | 75.00 | 75.00 |
| Fuel (for Heating) | 600.00 | 600.00 |
| Water, Electricity and Gas | 100.00 | 100.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 125.00 | 125.00 |
| Other Costs | 50.00 | 50.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 1,400.00 | 1,400.00 |
| Travel | 25.00 | 25.00 |
| Other Vocational Costs | 50.00 | 50.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Library Books | 75.00 | 75.00 |
|---------------------|-------|-------|

| | | |
|-----------------------------------|--------------|--------------|
| TOTAL Bridgeville, No. 220-C..... | \$ 10,531.00 | \$ 10,531.00 |
|-----------------------------------|--------------|--------------|

TRINITY, NO. 221-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 6.00 | \$ 6.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,430.00 | 3,430.00 |
| Instructional Service Supplies | 60.00 | 60.00 |
| Text Books | 94.00 | 94.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 35.00 | 35.00 |
| Fuel (for Heating) | 200.00 | 200.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |
| Other Costs | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 40.00 | 40.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|--------|-------|
| Library Books | 40.00 | 40.00 |
| Other Costs | 300.00 | |

| | | |
|--------------------------------------|--------------------|--------------------|
| TOTAL Trinity, No. 221-C..... | \$ 4,425.00 | \$ 4,325.00 |
|--------------------------------------|--------------------|--------------------|

GREENWOOD, NO. 222-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-----------------------|---------|---------|
| Office Supplies | \$ 6.00 | \$ 6.00 |
|-----------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,005.00 | 3,005.00 |
| Instructional Service Supplies | 65.00 | 65.00 |
| Text Books | 120.00 | 120.00 |
| Other Costs | 40.00 | 40.00 |
| Teachers Salary Increments | | 200.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 240.00 | 240.00 |
| Janitors' Supplies | 35.00 | 35.00 |
| Fuel (for Heating) | 250.00 | 250.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 50.00 | 50.00 |
| Upkeep of Grounds | 10.00 | 10.00 |
| Other Costs | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 50.00 | |
| Library Books | 50.00 | 50.00 |

| | | |
|--|--------------------|--------------------|
| TOTAL Greenwood, No. 222-C..... | \$ 3,971.00 | \$ 4,121.00 |
|--|--------------------|--------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

HOLLYVILLE, NO. 224-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,530.00 | 1,530.00 |
| Instructional Service Supplies | 30.00 | 30.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 12.00 | 13.00 |
| Fuel (for Heating) | 110.00 | 110.00 |
| Water, Electricity and Gas | 10.00 | 10.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 30.00 | 30.00 |
| Upkeep of Grounds | 10.00 | 10.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 33.00 | 30.00 |

| | | |
|----------------------------------|-------------|-------------|
| TOTAL Hollyville, No. 224-C..... | \$ 1,948.00 | \$ 2,046.00 |
|----------------------------------|-------------|-------------|

WARWICK, NO. 225-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 5.00 | \$ 5.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 3,210.00 | 3,210.00 |
| Instructional Service Supplies | 65.00 | 65.00 |
| Text Books | 120.00 | 120.00 |
| Other Costs | 25.00 | 25.00 |
| Teachers Salary Increments | | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 125.00 | 125.00 |
| Janitors' Supplies | 25.00 | 25.00 |
| Fuel (for Heating) | 220.00 | 220.00 |
| Water, Electricity and Gas | 40.00 | 40.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 40.00 | 40.00 |
|---------------------------------|-------|-------|

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 50.00 | 45.00 |

| | | |
|--------------------------------------|--------------------|--------------------|
| TOTAL Warwick, No. 225-C..... | \$ 3,940.00 | \$ 4,135.00 |
|--------------------------------------|--------------------|--------------------|

WILLIAMSVILLE, NO. 226-C

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,150.00 | 1,150.00 |
| Instructional Service Supplies | 50.00 | 50.00 |
| Text Books | 100.00 | 100.00 |
| Other Costs | 20.00 | 20.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 25.00 | 25.00 |
| Fuel (for Heating) | 160.00 | 160.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-------|-------|
| Supplies and Replacements | 25.00 | 25.00 |
| Other Costs | 10.00 | 10.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 25.00 | 25.00 |
| Library Books | 40.00 | 35.00 |

| | | |
|--|--------------------|--------------------|
| TOTAL Williamsville, No. 226-C..... | \$ 1,708.00 | \$ 1,803.00 |
|--|--------------------|--------------------|

NANTICOKE INDIAN

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------|---------|---------|
| Other Costs | \$ 3.00 | \$ 3.00 |
|-------------------|---------|---------|

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|----------|----------|
| Salaries | 1,680.00 | 1,680.00 |
| Instructional Service Supplies | 35.00 | 35.00 |
| Text Books | 50.00 | 50.00 |
| Other Costs | 15.00 | 15.00 |
| Teachers Salary Increments | | 100.00 |

OPERATION OF PLANT

| | | |
|--|--------|--------|
| Salaries—Janitors, Engineers, etc..... | 100.00 | 100.00 |
| Janitors' Supplies | 15.00 | 15.00 |
| Fuel (for Heating) | 125.00 | 125.00 |

MAINTENANCE

| | | |
|---------------------------------|-------|-------|
| Repairs and Replacements | | |
| Supplies and Replacements | 25.00 | 25.00 |
| Other Costs | 7.00 | 7.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-------|-------|
| Equipment | 15.00 | 15.00 |
| Library Books | 30.00 | 25.00 |

| | | |
|------------------------------------|--------------------|--------------------|
| TOTAL Nanticoke Indian..... | \$ 2,100.00 | \$ 2,195.00 |
|------------------------------------|--------------------|--------------------|

TOTAL LOCAL

| | | |
|-------------------------------|-----------------------|-----------------------|
| SCHOOL DISTRICTS | \$1,498,867.90 | \$1,541,616.40 |
|-------------------------------|-----------------------|-----------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

SPECIAL SCHOOL DISTRICTS

MT. PLEASANT

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 8,000.00 | \$ 8,000.00 |
| Office Supplies | 200.00 | 200.00 |
| Travel | 160.00 | 160.00 |
| Telephone and Telegraph | 125.00 | 125.00 |
| Other Costs | 200.00 | 200.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 75,000.00 | 75,000.00 |
| Instructional Service Supplies | 2,100.00 | 2,100.00 |
| Travel | 100.00 | 100.00 |
| Text Books | 2,200.00 | 2,200.00 |
| Other Costs | 700.00 | 700.00 |
| Teachers Salary Increments | | 4,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 7,200.00 | 7,200.00 |
| Janitors' Supplies | 900.00 | 900.00 |
| Fuel (for Heating) | 2,500.00 | 2,500.00 |
| Water, Electricity and Gas | 2,200.00 | 2,200.00 |
| Other Costs | 600.00 | 600.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Salaries | 400.00 | 400.00 |
| Supplies and Replacements | 500.00 | 500.00 |
| Upkeep of Grounds | 200.00 | 200.00 |
| Other Costs | 700.00 | 700.00 |

FIXED CHARGES

| | | |
|-----------------------|--------|--------|
| Fire Insurance | 950.00 | 950.00 |
| Other Insurance | 765.00 | 810.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,600.00 | 1,600.00 |
| Travel | 150.00 | 150.00 |
| Other Health Costs | 200.00 | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Vocational Education

(Ag., Home Ec.)

| | | |
|----------------|----------|----------|
| Salaries | 1,600.00 | 1,600.00 |
|----------------|----------|----------|

| | | |
|------------------------------|--------|--------|
| Other Vocational Costs | 150.00 | 150.00 |
|------------------------------|--------|--------|

Adult Education

| | | |
|----------------|--------|--------|
| Salaries | 300.00 | 300.00 |
|----------------|--------|--------|

| | | |
|-----------------------------------|--------|--------|
| Other Adult Education Costs | 125.00 | 125.00 |
|-----------------------------------|--------|--------|

CAPITAL OUTLAY

| | | |
|-----------------|----------|----------|
| Equipment | 1,000.00 | 1,000.00 |
|-----------------|----------|----------|

| | | |
|---------------------|--------|--------|
| Library Books | 700.00 | 700.00 |
|---------------------|--------|--------|

| | | |
|-------------------|----------|----------|
| Other Costs | 1,000.00 | 1,000.00 |
|-------------------|----------|----------|

| | | |
|--------------------------------|---------------------|---------------------|
| TOTAL Mt. Pleasant..... | \$112,525.00 | \$117,070.00 |
|--------------------------------|---------------------|---------------------|

CLAYMONT

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|----------------|-------------|-------------|
| Salaries | \$ 8,000.00 | \$ 8,000.00 |
|----------------|-------------|-------------|

| | | |
|-----------------------|--------|--------|
| Office Supplies | 500.00 | 500.00 |
|-----------------------|--------|--------|

| | | |
|--------------|--------|--------|
| Travel | 125.00 | 125.00 |
|--------------|--------|--------|

| | | |
|-------------------------------|--------|--------|
| Telephone and Telegraph | 150.00 | 150.00 |
|-------------------------------|--------|--------|

INSTRUCTIONAL SERVICE

| | | |
|----------------|-----------|-----------|
| Salaries | 78,000.00 | 78,000.00 |
|----------------|-----------|-----------|

| | | |
|--------------------------------------|----------|----------|
| Instructional Service Supplies | 1,000.00 | 1,000.00 |
|--------------------------------------|----------|----------|

| | | |
|--------------|-------|-------|
| Travel | 50.00 | 50.00 |
|--------------|-------|-------|

| | | |
|------------------|----------|----------|
| Text Books | 1,000.00 | 1,000.00 |
|------------------|----------|----------|

| | | |
|-------------------|--------|--------|
| Other Costs | 100.00 | 100.00 |
|-------------------|--------|--------|

| | | |
|----------------------------------|--|----------|
| Teachers Salary Increments | | 3,000.00 |
|----------------------------------|--|----------|

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 7,800.00 | 7,800.00 |
|--|----------|----------|

| | | |
|--------------------------|--------|--------|
| Janitors' Supplies | 600.00 | 600.00 |
|--------------------------|--------|--------|

| | | |
|--------------------------|----------|----------|
| Fuel (for Heating) | 1,800.00 | 1,800.00 |
|--------------------------|----------|----------|

| | | |
|----------------------------------|----------|----------|
| Water, Electricity and Gas | 1,400.00 | 1,400.00 |
|----------------------------------|----------|----------|

| | | |
|-------------------|-------|-------|
| Other Costs | 50.00 | 50.00 |
|-------------------|-------|-------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|----------|----------|
| Supplies and Replacements | 4,000.00 | 4,000.00 |
| Upkeep of Grounds | 250.00 | 250.00 |

FIXED CHARGES

| | | |
|-----------------------|--------|--------|
| Fire Insurance | 750.00 | 700.00 |
| Other Insurance | 300.00 | 300.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 2,100.00 | 2,100.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 100.00 | 100.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 2,300.00 | 2,300.00 |
| Travel | 50.00 | 50.00 |
| Other Vocational Costs | 200.00 | 200.00 |

Adult Education

| | | |
|----------------|--------|--------|
| Salaries | 350.00 | 400.00 |
|----------------|--------|--------|

CAPITAL OUTLAY

| | | |
|---------------------|----------|----------|
| Equipment | 2,000.00 | 2,000.00 |
| Library Books | 500.00 | 500.00 |

| | | |
|----------------------|---------------------|---------------------|
| TOTAL Claymont | <u>\$113,525.00</u> | <u>\$116,525.00</u> |
|----------------------|---------------------|---------------------|

ALEXIS I. duPONT

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 6,400.00 | \$ 6,400.00 |
| Office Supplies | 150.00 | 150.00 |
| Travel | 200.00 | 200.00 |
| Telephone and Telegraph | 150.00 | 150.00 |
| Other Costs | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 51,000.00 | 56,000.00 |
| Instructional Service Supplies | 1,800.00 | 1,800.00 |
| Text Books | 1,400.00 | 1,400.00 |
| Teachers Salary Increments | | 2,600.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 5,800.00 | 5,800.00 |
| Janitors' Supplies | 700.00 | 700.00 |
| Fuel (for Heating) | 3,500.00 | 3,500.00 |
| Water, Electricity and Gas | 1,200.00 | 1,200.00 |
| Other Costs | 125.00 | 125.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|----------|
| Repairs and Replacements | | |
| Supplies and Replacements | 700.00 | 1,000.00 |
| Upkeep of Grounds | 200.00 | 200.00 |
| Other Costs | 700.00 | 500.00 |

FIXED CHARGES

| | | |
|-----------------------|--------|--------|
| Fire Insurance | 930.00 | 930.00 |
| Other Insurance | 320.00 | 320.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Salaries | 1,400.00 | 1,400.00 |
| Other Health Costs | 100.00 | 100.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 5,500.00 | 5,500.00 |
| Travel | 100.00 | 100.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 500.00 | 500.00 |
| Library Books | 400.00 | 400.00 |

| | | |
|-------------------------------------|---------------------|---------------------|
| TOTAL Alexis I. duPont | \$ 83,525.00 | \$ 91,225.00 |
|-------------------------------------|---------------------|---------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

NEWARK

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 8,800.00 | \$ 8,800.00 |
| Office Supplies | 700.00 | 700.00 |
| Travel | 100.00 | 100.00 |
| Telephone and Telegraph | 225.00 | 225.00 |
| Other Costs | 200.00 | 200.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|------------|------------|
| Salaries | 116,000.00 | 119,000.00 |
| Instructional Service Supplies | 2,900.00 | 2,900.00 |
| Travel | 75.00 | 75.00 |
| Text Books | 3,000.00 | 3,000.00 |
| Other Costs | 1,000.00 | 1,000.00 |
| Teachers Salary Increments | | 4,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 9,000.00 | 9,000.00 |
| Janitors' Supplies | 970.00 | 1,000.00 |
| Fuel (for Heating) | 3,500.00 | 3,500.00 |
| Water, Electricity and Gas | 2,100.00 | 2,100.00 |
| Other Costs | 500.00 | 500.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|----------|----------|
| Salaries | 2,400.00 | 2,400.00 |
| Supplies and Replacements | 2,000.00 | 2,000.00 |
| Upkeep of Grounds | 300.00 | 300.00 |

FIXED CHARGES

| | | |
|----------------------|----------|----------|
| Fire Insurance | 1,400.00 | 1,500.00 |
|----------------------|----------|----------|

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,800.00 | 1,800.00 |
| Travel | 35.00 | 35.00 |
| Other Health Costs | 120.00 | 120.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|----------------|----------|----------|
| Salaries | 6,800.00 | 6,800.00 |
|----------------|----------|----------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|-----------------------------------|---------------------|---------------------|
| Travel | 200.00 | 200.00 |
| Other Vocational Costs | 500.00 | 500.00 |
| Adult Education | | |
| Other Adult Education Costs | 300.00 | 300.00 |
| CAPITAL OUTLAY | | |
| Equipment | 3,500.00 | 3,300.00 |
| Library Books | 730.00 | 750.00 |
| Other Costs | 200.00 | 100.00 |
| TOTAL Newark | \$169,355.00 | \$176,205.00 |

NEW CASTLE

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 7,350.00 | \$ 7,350.00 |
| Office Supplies | 250.00 | 250.00 |
| Travel | 275.00 | 275.00 |
| Telephone and Telegraph | 250.00 | 250.00 |
| Other Costs | 250.00 | 250.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 85,500.00 | 85,500.00 |
| Instructional Service Supplies | 2,500.00 | 2,500.00 |
| Travel | 50.00 | 50.00 |
| Text Books | 3,000.00 | 3,000.00 |
| Other Costs | 825.00 | 825.00 |
| Teachers Salary Increments | | 3,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 6,000.00 | 6,000.00 |
| Janitors' Supplies | 700.00 | 700.00 |
| Fuel (for Heating) | 2,400.00 | 2,400.00 |
| Water, Electricity and Gas | 1,200.00 | 1,200.00 |
| Other Costs | 800.00 | 800.00 |

APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|----------|----------|
| Salaries | 1,800.00 | 1,800.00 |
| Supplies and Replacements | 500.00 | 500.00 |
| Upkeep of Grounds | 300.00 | 300.00 |
| Other Costs | 200.00 | 200.00 |

FIXED CHARGES

| | | |
|-----------------------|--------|--------|
| Fire Insurance | 600.00 | 600.00 |
| Other Insurance | 400.00 | 400.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,700.00 | 1,700.00 |
| Travel | 75.00 | 75.00 |
| Other Health Costs | 150.00 | 150.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 4,800.00 | 4,800.00 |
| Travel | 25.00 | 25.00 |
| Other Vocational Costs | 400.00 | 400.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|----------|
| Equipment | 2,300.00 | 5,870.00 |
| Library Books | 300.00 | 600.00 |

| | | |
|-------------------------------|---------------------|---------------------|
| TOTAL New Castle | \$124,900.00 | \$132,270.00 |
|-------------------------------|---------------------|---------------------|

SMYRNA

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 7,000.00 | \$ 7,000.00 |
| Office Supplies | 300.00 | 300.00 |
| Travel | 200.00 | 200.00 |
| Telephone and Telegraph | 150.00 | 150.00 |
| Other Costs | 25.00 | 25.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 69,000.00 | 69,000.00 |
| Instructional Service Supplies | 1,800.00 | 1,800.00 |
| Text Books | 1,800.00 | 1,800.00 |
| Other Costs | 750.00 | 750.00 |
| Teachers Salary Increments | | 3,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 5,750.00 | 5,750.00 |
| Janitors' Supplies | 800.00 | 800.00 |
| Fuel (for Heating) | 1,875.00 | 1,875.00 |
| Water, Electricity and Gas | 1,500.00 | 1,500.00 |
| Other Costs | 400.00 | 400.00 |

MAINTENANCE

| | | |
|---------------------------------|----------|----------|
| Repairs and Replacements | | |
| Supplies and Replacements | 1,500.00 | 1,500.00 |
| Upkeep of Grounds | 150.00 | 150.00 |

FIXED CHARGES

| | | |
|----------------------|----------|----------|
| Fire Insurance | 1,000.00 | 1,000.00 |
|----------------------|----------|----------|

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,150.00 | 1,150.00 |
| Travel | 100.00 | 100.00 |
| Other Health Costs | 25.00 | 25.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 5,600.00 | 5,600.00 |
| Travel | 100.00 | 100.00 |
| Other Vocational Costs | 200.00 | 200.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 750.00 | 750.00 |
| Library Books | 200.00 | 200.00 |

| | | |
|---------------------------|---------------------|---------------------|
| TOTAL Smyrna | \$102,125.00 | \$105,125.00 |
|---------------------------|---------------------|---------------------|

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

DOVER

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 8,000.00 | \$ 8,000.00 |
| Office Supplies | 225.00 | 225.00 |
| Travel | 200.00 | 200.00 |
| Telephone and Telegraph | 200.00 | 200.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|------------|------------|
| Salaries | 125,000.00 | 125,000.00 |
| Instructional Service Supplies | 3,200.00 | 3,200.00 |
| Text Books | 3,000.00 | 3,000.00 |
| Other Costs | 500.00 | 500.00 |
| Teachers Salary Increments | | 6,000.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 8,500.00 | 8,500.00 |
| Janitors' Supplies | 1,000.00 | 1,000.00 |
| Fuel (for Heating) | 4,500.00 | 4,500.00 |
| Water, Electricity and Gas | 1,600.00 | 1,600.00 |
| Other Costs | 200.00 | 200.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|----------|----------|
| Salaries | 750.00 | 750.00 |
| Supplies and Replacements | 4,900.00 | 1,425.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 500.00 | 500.00 |

FIXED CHARGES

| | | |
|-----------------------|----------|----------|
| Fire Insurance | 1,200.00 | 1,200.00 |
| Other Insurance | 275.00 | 275.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,680.00 | 1,680.00 |
| Travel | 100.00 | 100.00 |
| Other Health Costs | 75.00 | 75.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|---|---------------------|---------------------|
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 14,710.00 | 14,710.00 |
| Travel | 100.00 | 100.00 |
| Other Vocational Costs | 1,200.00 | 1,200.00 |
| CAPITAL OUTLAY | | |
| Equipment | 4,000.00 | 750.00 |
| Library Books | 1,000.00 | 1,000.00 |
| TOTAL Dover | <u>\$186,665.00</u> | <u>\$185,940.00</u> |

CAESAR RODNEY

| | | |
|--|-------------|-------------|
| GENERAL OR ADMINISTRATIVE CONTROL | | |
| Salaries | \$ 7,300.00 | \$ 7,300.00 |
| Office Supplies | 350.00 | 350.00 |
| Travel | 200.00 | 200.00 |
| Telephone and Telegraph | 150.00 | 150.00 |
| Other Costs | 150.00 | 150.00 |
| INSTRUCTIONAL SERVICE | | |
| Salaries | 71,000.00 | 71,000.00 |
| Instructional Service Supplies | 2,200.00 | 2,200.00 |
| Text Books | 1,800.00 | 1,800.00 |
| Other Costs | 1,000.00 | 1,000.00 |
| Teachers Salary Increments | | 3,500.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 4,500.00 | 4,500.00 |
| Janitors' Supplies | 800.00 | 800.00 |
| Fuel (for Heating) | 3,500.00 | 3,500.00 |
| Water, Electricity and Gas | 1,900.00 | 1,900.00 |
| Other Costs | 100.00 | 100.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 1,800.00 | 1,800.00 |
| Upkeep of Grounds | 250.00 | 250.00 |
| Other Costs | 150.00 | 200.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

FIXED CHARGES

| | | |
|-----------------------|--------|--------|
| Fire Insurance | 625.00 | 640.00 |
| Other Insurance | 150.00 | 150.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,600.00 | 1,600.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 200.00 | 200.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 5,100.00 | 5,100.00 |
| Travel | 250.00 | 250.00 |
| Other Vocational Costs | 400.00 | 400.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|----------|
| Equipment | 700.00 | 1,640.00 |
| Library Books | 300.00 | 300.00 |

| | | |
|----------------------------------|---------------------|---------------------|
| TOTAL Caesar Rodney | \$106,525.00 | \$111,030.00 |
|----------------------------------|---------------------|---------------------|

HARRINGTON

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 6,350.00 | \$ 6,350.00 |
| Office Supplies | 400.00 | 400.00 |
| Travel | 200.00 | 200.00 |
| Telephone and Telegraph | 100.00 | 100.00 |
| Other Costs | 75.00 | 75.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 57,000.00 | 57,000.00 |
| Instructional Service Supplies | 1,200.00 | 1,200.00 |
| Text Books | 1,350.00 | 1,350.00 |
| Other Costs | 50.00 | 50.00 |
| Teachers Salary Increments | | 2,500.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 5,700.00 | 5,700.00 |
| Janitors' Supplies | 600.00 | 600.00 |
| Fuel (for Heating) | 2,500.00 | 2,500.00 |
| Water, Electricity and Gas | 700.00 | 700.00 |
| Other Costs | 150.00 | 150.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 500.00 | 500.00 |
| Upkeep of Grounds | 25.00 | 25.00 |
| Other Costs | 300.00 | 300.00 |

FIXED CHARGES

| | | |
|-----------------------|--------|--------|
| Fire Insurance | 425.00 | 425.00 |
| Other Insurance | 85.00 | 85.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,300.00 | 1,300.00 |
| Travel | 40.00 | 40.00 |
| Other Health Costs | 75.00 | 75.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 5,000.00 | 5,000.00 |
| Travel | 225.00 | 225.00 |
| Other Vocational Costs | 175.00 | 175.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|----------|
| Equipment | 1,000.00 | 1,600.00 |
| Library Books | 300.00 | 300.00 |

| | | |
|------------------------|--------------|--------------|
| TOTAL Harrington | \$ 85,825.00 | \$ 88,925.00 |
|------------------------|--------------|--------------|

APPROPRIATION **EXPENSES OF STATE GOVERNMENT**

MILFORD

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|--------------|--------------|
| Salaries | \$ 12,000.00 | \$ 12,000.00 |
| Office Supplies | 350.00 | 350.00 |
| Travel | 175.00 | 175.00 |
| Telephone and Telegraph | 300.00 | 300.00 |
| Other Costs | 100.00 | 100.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 94,000.00 | 94,000.00 |
| Instructional Service Supplies | 2,500.00 | 2,500.00 |
| Text Books | 3,000.00 | 3,000.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 3,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 8,300.00 | 8,300.00 |
| Janitors' Supplies | 650.00 | 600.00 |
| Fuel (for Heating) | 4,000.00 | 4,000.00 |
| Water, Electricity and Gas | 1,350.00 | 1,350.00 |
| Other Costs | 300.00 | 300.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Salaries | 800.00 | 800.00 |
| Supplies and Replacements | 400.00 | 400.00 |
| Upkeep of Grounds | 50.00 | 50.00 |
| Other Costs | 380.00 | 380.00 |

FIXED CHARGES

| | | |
|---------------------------|--------|--------|
| Fire Insurance | 703.50 | 953.50 |
| Other Insurance | 373.00 | 225.00 |
| Other Fixed Charges | 250.00 | 250.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 2,050.00 | 2,050.00 |
| Travel | 75.00 | 75.00 |
| Other Health Costs | 150.00 | 150.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|-----------|-----------|
| Salaries | 11,000.00 | 11,000.00 |
| Travel | 200.00 | 200.00 |
| Other Vocational Costs | 500.00 | 500.00 |

CAPITAL OUTLAY

| | | |
|---------------------|--------|----------|
| Equipment | 800.00 | 1,500.00 |
| Library Books | 350.00 | 350.00 |

| | | |
|---------------------|--------------|--------------|
| TOTAL Milford | \$145,256.50 | \$149,508.50 |
|---------------------|--------------|--------------|

GEORGETOWN

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 6,400.00 | \$ 6,400.00 |
| Office Supplies | 200.00 | 200.00 |
| Travel | 200.00 | 200.00 |
| Telephone and Telegraph | 325.00 | 325.00 |
| Other Costs | 125.00 | 125.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 71,000.00 | 73,000.00 |
| Instructional Service Supplies | 2,100.00 | 2,100.00 |
| Text Books | 1,900.00 | 1,900.00 |
| Other Costs | 500.00 | 500.00 |
| Teachers Salary Increments | | 3,550.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 5,500.00 | 5,500.00 |
| Janitors' Supplies | 800.00 | 800.00 |
| Fuel (for Heating) | 2,500.00 | 2,500.00 |
| Water, Electricity and Gas | 1,600.00 | 1,600.00 |
| Other Costs | 548.50 | 548.50 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|--------|--------|
| Supplies and Replacements | 750.00 | 750.00 |
| Upkeep of Grounds | 200.00 | 200.00 |
| Other Costs | 500.00 | 500.00 |

APPROPRIATION EXPENSES OF STATE GOVERNMENT

FIXED CHARGES

| | | |
|---------------------------|--------|--------|
| Fire Insurance | 755.00 | 635.00 |
| Other Insurance | 140.00 | 140.00 |
| Other Fixed Charges | 235.00 | 235.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,900.00 | 1,900.00 |
| Travel | 50.00 | 50.00 |
| Other Health Costs | 75.00 | 75.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|-----------|-----------|
| Salaries | 11,000.00 | 11,000.00 |
| Travel | 200.00 | 200.00 |
| Other Vocational Costs | 900.00 | 900.00 |

Adult Education

| | | |
|-----------------------------------|--------|--------|
| Salaries | 300.00 | 300.00 |
| Other Adult Education Costs | 125.00 | 125.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|--------|
| Equipment | 1,580.00 | 950.00 |
| Library Books | 600.00 | 600.00 |
| Other Costs | 500.00 | 200.00 |

| | | |
|------------------------|---------------------|---------------------|
| TOTAL Georgetown | <u>\$113,508.50</u> | <u>\$118,008.50</u> |
|------------------------|---------------------|---------------------|

LEWES

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 6,000.00 | \$ 6,000.00 |
| Office Supplies | 200.00 | 200.00 |
| Travel | 200.00 | 200.00 |
| Telephone and Telegraph | 150.00 | 150.00 |
| Other Costs | 100.00 | 100.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 50,000.00 | 50,000.00 |
| Instructional Service Supplies | 1,700.00 | 1,700.00 |
| Travel | 75.00 | 75.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

| | | |
|---|--------------|--------------|
| Text Books | 1,500.00 | 1,500.00 |
| Other Costs | 400.00 | 400.00 |
| Teachers Salary Increments | | 2,500.00 |
| OPERATION OF PLANT | | |
| Salaries—Janitors, Engineers, etc..... | 4,360.00 | 4,360.00 |
| Janitors' Supplies | 700.00 | 700.00 |
| Fuel (for Heating) | 1,600.00 | 1,600.00 |
| Water, Electricity and Gas | 500.00 | 500.00 |
| Other Costs | 100.00 | 100.00 |
| MAINTENANCE | | |
| Repairs and Replacements | | |
| Supplies and Replacements | 500.00 | 500.00 |
| Upkeep of Grounds | 150.00 | 150.00 |
| Other Costs | 50.00 | 50.00 |
| FIXED CHARGES | | |
| Fire Insurance | 1,500.00 | 1,500.00 |
| AUXILIARY AND COORDINATE ACTIVITIES | | |
| Promotion of Health | | |
| Other Health Costs | 200.00 | 200.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 4,000.00 | 4,000.00 |
| Travel | 100.00 | 100.00 |
| Other Vocational Costs | 100.00 | 100.00 |
| CAPITAL OUTLAY | | |
| Equipment | 500.00 | 500.00 |
| Library Books | 250.00 | 250.00 |
| <hr/> | | |
| TOTAL Lewes | \$ 74,935.00 | \$ 77,435.00 |
| <hr/> | | |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

SEAFORD

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 8,400.00 | \$ 8,400.00 |
| Office Supplies | 750.00 | 750.00 |
| Travel | 250.00 | 250.00 |
| Telephone and Telegraph | 200.00 | 200.00 |
| Other Costs | 142.00 | 142.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|------------|------------|
| Salaries | 101,000.00 | 103,000.00 |
| Instructional Service Supplies | 2,800.00 | 2,800.00 |
| Travel | 50.00 | 50.00 |
| Text Books | 2,800.00 | 2,800.00 |
| Other Costs | 600.00 | 600.00 |
| Teachers Salary Increments | | 4,700.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 8,100.00 | 8,100.00 |
| Janitors' Supplies | 900.00 | 900.00 |
| Fuel (for Heating) | 3,500.00 | 3,500.00 |
| Water, Electricity and Gas | 2,200.00 | 2,200.00 |
| Other Costs | 400.00 | 400.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|----------|----------|
| Supplies and Replacements | 1,000.00 | 1,000.00 |
| Upkeep of Grounds | 300.00 | 300.00 |
| Other Costs | 800.00 | 800.00 |

FIXED CHARGES

| | | |
|-----------------------|----------|--------|
| Fire Insurance | 1,129.44 | 938.93 |
| Other Insurance | 334.05 | 181.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,680.00 | 1,680.00 |
| Travel | 180.00 | 180.00 |
| Other Health Costs | 125.00 | 125.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|----------|----------|
| Salaries | 7,630.00 | 7,630.00 |
| Travel | 100.00 | 100.00 |
| Other Vocational Costs | 350.00 | 350.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|----------|
| Equipment | 2,500.00 | 1,500.00 |
| Library Books | 600.00 | 600.00 |

| | | |
|---------------------|--------------|--------------|
| TOTAL Seaford | \$148,820.49 | \$154,176.93 |
|---------------------|--------------|--------------|

LAUREL

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 7,200.00 | \$ 7,200.00 |
| Office Supplies | 265.00 | 265.00 |
| Travel | 225.00 | 225.00 |
| Telephone and Telegraph | 175.00 | 175.00 |
| Other Costs | 25.00 | 25.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 98,000.00 | 98,000.00 |
| Instructional Service Supplies | 2,700.00 | 2,700.00 |
| Travel | 100.00 | 100.00 |
| Text Books | 4,000.00 | 4,000.00 |
| Other Costs | 500.00 | 500.00 |
| Teachers Salary Increments | | 4,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 8,400.00 | 8,400.00 |
| Janitors' Supplies | 1,500.00 | 1,500.00 |
| Fuel (for Heating) | 3,500.00 | 3,500.00 |
| Water, Electricity and Gas | 1,750.00 | 1,750.00 |
| Other Costs | 150.00 | 150.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|----------|----------|
| Supplies and Replacements | 1,000.00 | 1,000.00 |
| Upkeep of Grounds | 200.00 | 200.00 |
| Other Costs | 900.00 | 900.00 |

FIXED CHARGES

| | | |
|---------------------------|--------|--------|
| Fire Insurance | 900.00 | 900.00 |
| Other Insurance | 130.00 | 135.00 |
| Other Fixed Charges | 150.00 | 150.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------|----------|----------|
| Salaries | 1,900.00 | 1,900.00 |
| Travel | 45.00 | 50.00 |
| Other Health Costs | 175.00 | 175.00 |

Vocational Education

(Ag., Home Ec.)

| | | |
|------------------------------|-----------|-----------|
| Salaries | 11,500.00 | 11,500.00 |
| Travel | 500.00 | 500.00 |
| Other Vocational Costs | 500.00 | 500.00 |

CAPITAL OUTLAY

| | | |
|---------------------|----------|----------|
| Equipment | 9,900.00 | 4,000.00 |
| Library Books | 900.00 | 900.00 |
| Other Costs | 500.00 | 500.00 |

| | | |
|---------------------------|---------------------|---------------------|
| TOTAL Laurel | \$157,690.00 | \$156,300.00 |
|---------------------------|---------------------|---------------------|

REHOBOTH

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|-------------|-------------|
| Salaries | \$ 5,800.00 | \$ 5,800.00 |
| Office Supplies | 100.00 | 100.00 |
| Travel | 32.00 | 32.00 |
| Telephone and Telegraph | 130.00 | 130.00 |
| Other Costs | 50.00 | 50.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|-----------|-----------|
| Salaries | 26,000.00 | 26,000.00 |
| Instructional Service Supplies | 450.00 | 450.00 |
| Text Books | 625.00 | 625.00 |
| Other Costs | 150.00 | 150.00 |
| Teachers Salary Increments | | 1,500.00 |

OPERATION OF PLANT

| | | |
|--|----------|----------|
| Salaries—Janitors, Engineers, etc..... | 2,800.00 | 2,800.00 |
| Janitors' Supplies | 225.00 | 225.00 |
| Fuel (for Heating) | 925.00 | 925.00 |
| Water, Electricity and Gas | 900.00 | 900.00 |
| Other Costs | 75.00 | 75.00 |

MAINTENANCE

| | | |
|---------------------------------|--------|--------|
| Repairs and Replacements | | |
| Supplies and Replacements | 175.00 | 175.00 |
| Upkeep of Grounds | 100.00 | 100.00 |
| Other Costs | 250.00 | 250.00 |

FIXED CHARGES

| | | |
|-----------------------|--------|--------|
| Fire Insurance | 135.00 | 135.00 |
| Other Insurance | 120.00 | 120.00 |

AUXILIARY AND COORDINATE ACTIVITIES

| | | |
|---|----------|----------|
| Promotion of Health | | |
| Salaries | 800.00 | 800.00 |
| Travel | 70.00 | 70.00 |
| Other Health Costs | 60.00 | 60.00 |
| Vocational Education (Ag., Home Ec.) | | |
| Salaries | 2,200.00 | 2,200.00 |
| Other Vocational Costs | 70.00 | 70.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

CAPITAL OUTLAY

| | | |
|---------------------|--------|--------|
| Equipment | 800.00 | 500.00 |
| Library Books | 500.00 | 500.00 |

| | | |
|----------------------|--------------|--------------|
| TOTAL Rehoboth | \$ 43,542.00 | \$ 44,742.00 |
|----------------------|--------------|--------------|

TOTAL SPECIAL

| | | |
|------------------------|----------------|----------------|
| SCHOOL DISTRICTS | \$1,768,722.49 | \$1,824,485.93 |
|------------------------|----------------|----------------|

WILMINGTON BOARD OF EDUCATION

GENERAL OR ADMINISTRATIVE CONTROL

| | | |
|-------------------------------|--------------|--------------|
| Salaries | \$ 25,440.00 | \$ 25,440.00 |
| Office Supplies | 2,200.00 | 2,200.00 |
| Travel | 600.00 | 600.00 |
| Telephone and Telegraph | 5,200.00 | 5,200.00 |
| Other Costs | 1,700.00 | 1,700.00 |

INSTRUCTIONAL SERVICE

| | | |
|--------------------------------------|--------------|--------------|
| Salaries | 1,422,400.00 | 1,422,400.00 |
| Instructional Service Supplies | 37,000.00 | 37,000.00 |
| Travel | 800.00 | 800.00 |
| Text Books | 24,000.00 | 24,000.00 |
| Other Costs | 5,000.00 | 5,000.00 |
| Teachers Salary Increments | | 20,000.00 |

OPERATION OF PLANT

| | | |
|--|------------|------------|
| Salaries—Janitors, Engineers, etc. | 135,000.00 | 135,000.00 |
| Janitors' Supplies | 7,100.00 | 7,100.00 |
| Fuel (for Heating) | 33,000.00 | 33,000.00 |
| Water, Electricity and Gas | 160.00 | 160.00 |

MAINTENANCE

Repairs and Replacements

| | | |
|---------------------------------|-----------|-----------|
| Salaries | 13,000.00 | 13,000.00 |
| Supplies and Replacements | 25,000.00 | 25,000.00 |
| Upkeep of Grounds | 3,000.00 | 3,000.00 |
| Other Costs | 1,300.00 | 1,500.00 |

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

FIXED CHARGES

| | | |
|-----------------------|----------|----------|
| Fire Insurance | 7,700.00 | 7,700.00 |
| Other Insurance | 2,400.00 | 2,400.00 |
| Transportation | 585.00 | 585.00 |

AUXILIARY AND COORDINATE ACTIVITIES

Promotion of Health

| | | |
|--------------------------------|----------|----------|
| Salaries | 4,000.00 | 4,000.00 |
| Travel | 400.00 | 400.00 |
| Other Health Costs | 2,000.00 | 2,000.00 |
| Visiting Teachers Travel | 200.00 | 200.00 |
| Visiting Teachers | 900.00 | 900.00 |
| Recreation | 1,000.00 | 1,000.00 |

Adult Education

| | | |
|--------------------------------|-----------|-----------|
| Salaries | 10,150.00 | 10,150.00 |
| Travel | 200.00 | 200.00 |
| Other Adult Education Costs... | 750.00 | 750.00 |

CAPITAL OUTLAY

| | | |
|---------------------|-----------|-----------|
| Equipment | 14,000.00 | 14,000.00 |
| Library Books | 2,000.00 | 2,000.00 |

TOTAL Wilmington Board

| | | |
|--------------------|----------------|----------------|
| of Education | \$1,788,185.00 | \$1,808,385.00 |
|--------------------|----------------|----------------|

TOTAL EDUCATION—

| | | |
|-------------------------|----------------|----------------|
| Appropriation Act | \$6,421,105.39 | \$6,546,122.33 |
|-------------------------|----------------|----------------|

| | | |
|-------------------|-----------------|-----------------|
| GRAND TOTAL | \$13,661,986.15 | \$13,715,868.57 |
|-------------------|-----------------|-----------------|

Section 2. That if the estimated revenues of the State of Delaware shall prove to be insufficient for the payment of the several appropriations provided for herein, to provide for casual deficiencies of revenue for either of the fiscal years aforesaid, and in order that the appropriations hereinabove enumerated may be promptly paid, the State Treasurer is hereby authorized to issue notes or certificates of indebtedness of the State of Delaware to such an amount as he shall, by and with the consent

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of the Governor and the Secretary of State, deem necessary to meet and to pay any of said appropriations, or any part of any of said appropriations, as to which the revenues of the State of Delaware for either of the fiscal years aforesaid may prove to be insufficient. The said notes or certificates of indebtedness shall be in such denominations, and have such form as the Budget Commission may determine, and shall be payable at any period not exceeding one year from the date of the issuance thereof out of any moneys in the treasury of the State not otherwise appropriated. The said notes or certificates of indebtedness shall be numbered consecutively. The principal of said notes or certificates of indebtedness shall be payable at the Farmers' Bank at Dover, on the date of their maturity upon presentation thereat and surrender thereof.

The said notes or certificates of indebtedness shall be signed by the Governor, the Secretary of State, and the State Treasurer, for and on behalf of the State, and shall have the great seal of the State of Delaware impressed thereon or affixed thereto.

Section 3. That the Governor, the Secretary of State, and the State Treasurer shall constitute a commission to negotiate and arrange for the sale or disposition of said notes or certificates of indebtedness.

Section 4. That all moneys received by the State Treasurer from the sale of the said notes or certificates of indebtedness by this Act authorized to be issued, shall be and they are hereby specially pledged and appropriated to and for the payment of the several appropriations, or any part or portion thereof hereinabove enumerated and set forth, as to which revenues of the State for the said fiscal year may prove to be insufficient; provided, however, if for the payment of said appropriations it shall be necessary to sell said notes or certificates of indebtedness, or any of them, and there shall remain a balance in the hands of the State Treasurer derived from said sale of notes or certificates, after the said appropriation shall have been paid,

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then such balance is hereby appropriated and the State Treasurer is hereby authorized and directed to pay such balance into the general fund of the State of Delaware.

Section 5. That the public faith and credit of the State of Delaware is hereby pledged for the full and complete payments of the principal and interest of the notes or certificates of indebtedness shall be, and the same are exempted from taxation for any purpose by this State.

Section 6. That all expenses incident to the advertising, preparation, the issuing and delivering of said notes or certificates of indebtedness shall be allowed to the said State Treasurer, and shall be paid by him out of any money in the treasury of the State not otherwise appropriated upon the production and exhibition by the said State Treasurer of the necessary vouchers thereof as by law required with reference to the other disbursements of the public fund.

Section 7. **Definitions:**—The terms “general” or “administrative control,” “instructional service,” “operation of plant,” “maintenance,” and “auxiliary activities” as used in connection with amounts appropriated in this Act to the State Board of Education, the Boards of Education of Special School Districts, and the Boards of School Trustees of the Local School Districts shall include the following:

The term “general or administrative control” shall include: Salaries and expenses of the members of the State Board of Education; the expenses of the business office of said Board; the cost of administering laws relating to compulsory attendance and the school census; the salaries of the State Superintendent and assistants, the salaries of supervisors, directors, examiners, and substitute teachers, Salaries of superintendents of Special Districts; the expenses of the business offices maintained by the Special School Districts and by the Board of School Trustees; and other expenses of “administrative control.”

The term “instructional service” shall include: Salaries of principals and teachers; textbooks and professional books for

APPROPRIATION

EXPENSES OF STATE GOVERNMENT

teachers; expenses of teachers and trustees' meetings; supplies and other materials of instruction; amounts authorized to be paid as tuition to another board; and other expenses of "instructional service."

The term "operation of plant" and "maintenance", shall include: Salaries of janitors and engineers; janitors' supplies; fuel, water, light, and power; care and upkeep of grounds; supplies; rent and repairs to buildings; repairs and replacement of equipment and apparatus, and other maintenance and operating expenses.

The term "auxiliary activities" shall include: The cost of vocational education including teacher-training and other costs, Americanization, adult education, promotion of health; salaries of teachers at Sunnyside Preventorium and Brandywine Sanatorium; and other "auxiliary activities."

Section 8. For the purpose of matching any appropriation made for such educational acts as have been or may be passed by Congress, the State Board of Vocational Education is hereby directed and empowered to prescribe to the Board of Public Education in Wilmington, to each of the Boards of Education of Special School Districts, and to each of the several Boards of School Trustees, the amounts necessary to be allocated by said respective Boards to comply with the purposes and intent of said educational acts which required the matching of funds.

The amount of funds received from the United States Government by the State Board of Vocational Education shall not be paid to the several boards and districts hereinbefore mentioned as reimbursements to such boards and/or districts for expenditures incurred in accordance with the provision of the Delaware State Plan for vocational education, except for reimbursements of traveling expenses, but rather shall be treated as a return of monies advanced by the State for vocational education and paid to the State Treasurer and by him deposited to the credit of the General Fund of the State.

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Section 9. In the case of any consolidation as defined in sections 12 and 14, Chapter 71, of the Revised Code of Delaware, 1935, being Code Sections 2634 and 2636, it shall be lawful for Permanent Budget Commission to transfer the unexpended balance, or any part thereof of any appropriation under this act for the closed district or districts to the appropriation of the district or districts with which any such closed districts are consolidated.

Section 10. Any amount of money derived from the income from the State School Fund shall, for the purposes of this act, be considered as received by the State Treasurer and thereupon act to reduce to that extent the total amount to be paid out of the General Fund of this State for the purposes of meeting the expenses incurred in accordance with allowances for appropriation provided in Section 1 of this act.

Section 11. (a) When authorized by Permanent Budget Commission any allotment for the purposes herein specified to the State Board of Education, to the Board of Public Education in Wilmington, to any Board of Education of a Special School District or to any Board of School Trustees may be transferred to any other allotment to the same Board or to the same school district; provided that requests for transfers of allotments for purposes herein specified to any Board of School Trustees shall be made by the State Board of Education; and provided further that requests for transfers of allotments for purposes herein specified to the State Board of Education, to the Board of Public Education in Wilmington and to each of the several Boards of Special School Districts shall be made by the Board to which the said allotments are herein authorized to be paid.

(b) Transfers of appropriation not in excess of 10% of the total appropriation made to the respective Boards of School Trustees, the Board of Public Education in Wilmington, and the Boards of Education of Special School Districts, exclusive of salaries and fuel are hereby authorized to be made and complete record of such transfers maintained by the appropriate Board within the same school district and within the total of their respective appropriations without the approval of Permanent Budget Commission.

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Section 12. For the purposes of this act as it relates to appropriations for text and library books and other supplies and materials of instructions, the several Boards of Trustees of School Districts are hereby authorized to requisition the State Board of Education to purchase text and library books and other supplies and materials of instruction in accordance with the powers of selection and approval of text and library books vested in the State Board of Education as provided by Section 15 and Chapter 71 of the Revised Code of Delaware, 1935, being Code Section 2637, and payment therefor shall be made by the State Treasurer on warrant as otherwise provided in this act.

Section 13. **Definitions:**—The terms “administrative control,” “instructional service,” “operation,” “maintenance,” “fixed charges,” and “auxiliary and coordinate activities” as used in connection with amounts appropriated in this Act to the Board of Public Education in Wilmington shall be defined as follows:

The term “administrative control” shall include: Salaries and other expenses of the superintendent’s office; salaries and other expenses of the business office; salaries and other expenses of the research office; salaries and other administrative expenses of the director of health; supervisor of personnel and attendance, and chief building engineer; and other expenses of “administrative control.”

The term “instructional service” shall include: Supervision part of the salaries of assistant superintendents; salaries and other expenses of directors and supervisors and other expenses of supervision; salaries of principals, vice-principals, principals’ clerks, teachers, librarians, and substitutes; textbooks, library books, and professional books for teachers; and other “instructional expense.”

The term “operation” shall include: Expenditures for the salaries of custodians, engineers, and telephone operators, fuel, light and power, care of grounds; rent, supplies and other operating expenses except salaries and administrative expense of chief building engineer.

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The term "maintenance" shall include: Expenditure for up-keep of grounds; repair of building; repair and replacement of heat, light and plumbing equipment; repair and replacement of apparatus used in instruction; repair and replacement of other equipment; and other maintenance expense.

The term "fixed charges" shall include: Expenditures for insurance; teacher retirement; premiums paid for workmen's compensation insurance; and other similar expenditures.

The term "auxiliary and coordinate activities" shall include: Expenditures for Health Service (except salary of Director of Health and other administrative expense), salaries of home visitors, Americanization, adult education, and other auxiliary activities.

Approved March 19, 1947.

CHAPTER 68

APPROPRIATION

EMERGENCY APPROPRIATION

AN ACT MAKING APPROPRIATION FOR A STATE EMERGENCY FUND FOR CERTAIN EMERGENCIES AND CONDITIONS NOT OTHERWISE PROVIDED FOR FOR THE RESPECTIVE YEARS OF THE BIENNIUM JULY 1, 1947 TO JUNE 30, 1949 AND PRESCRIBING LIMITATIONS UPON USE THEREOF AND THE POWERS AND DUTIES OF THE PERMANENT BUDGET COMMISSION IN RELATION THERETO.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. Creation of Fund:—A fund is hereby created to be known as "The State Emergency Fund" which shall consist of any moneys in the General Fund of the State of Delaware not otherwise appropriated, and shall in no case exceed the cash balance to the credit of the State Treasury for a total of One Million Dollars (\$1,000,000.00) not including receipts from the sale of any bonds or from other evidences of debt.

Section 2. Availability of Fund:—The State Emergency Fund shall be disbursed by the State Treasurer only upon order of the Permanent Budget Commission and only for the purposes of paying expenses authorized to be incurred by any agency named in this Act after such agency shall have certified to the existence of an "actual emergency" or to a "condition not otherwise provided for" as hereinafter defined, provided that in no case shall an order be issued by the Permanent Budget Commission in excess of the amount hereinafter specified for any one emergency or condition not otherwise provided for, or for a total of emergencies and conditions not otherwise provided for of like kind in any one fiscal year, authorizing a particular agency to expend such amount as is necessary to meet a specific emergency or condition as hereinafter defined.

Section 3. Proof of Emergency:—An emergency or a condition not otherwise provided for shall be deemed to exist only when declared by the Governor to have been determined by him

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by and with the consent of the majority of the members of the Permanent Budget Commission. Such determination may be made after proof of emergency or condition not otherwise provided for, satisfactory to said Commission, has been submitted, and such proof shall include any evidence and testimony as said Commission may require and in every case an affidavit setting forth all facts in support of a claim that an emergency or a condition not otherwise provided for exists, sworn to by a duly authorized representative of the agency making application for use of all or any portion of the State Emergency Fund as herein provided.

Section 4. Emergencies Defined:—It is further provided that an emergency shall exist only when an expenditure, not otherwise authorized by general appropriation act or any supplementary appropriation act and for which funds have not otherwise been provided in the budget of any department or agency of this State, has become necessary directly as a result of an act of God or for other cause beyond the control of said department or agency.

(a) To replace any building or other structure and/or equipment which shall have been destroyed by fire, the replacement value of which is not fully covered by insurance, but in no case to exceed the difference between such replacement value and such insurance received as result of such fire, any department or agency of this State may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Fifty Thousand Dollars (\$50,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(b) To provide for repairs of an extraordinary nature the State Board of Education, if the building or equipment is located in a school district outside of the City of Wilmington, or the Board of Public Education in Wilmington, if the building or equipment is located in the consolidated school district in the City of Wilmington, may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an

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amount not to exceed Twenty Thousand Dollars (\$20,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(c) To provide for repairs to buildings or equipment of an extraordinary nature any State Department, Agency, or Institution, may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Thirty Thousand Dollars (\$30,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(d) To provide for the rehabilitation of citizens of this State wounded or otherwise impaired as result of participation in World War II, the State Board of Vocational Education may, upon submission of satisfactory proof of emergency, and/or for the participation in any rehabilitation program, be authorized to expend all or any part of an amount not to exceed Twenty Thousand Dollars (\$20,000.00) for each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(e) To provide additional funds for Vocational Rehabilitation case service when sums appropriated therefor have become exhausted as a result of an increase in the case load as of July 1, 1947, the State Board of Education may, upon satisfactory proof of emergency, expend all or any part of an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(f) To provide for transportation of school pupils when the appropriation provided for such transportation shall have been insufficient to meet the cost of such transportation, the State Board of Education may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Ten Thousand Dollars (\$10,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(g) To provide for the care of needy, dependent children outside their own homes when sums appropriated therefor have become exhausted as a result of increase in the number of dependent children requiring such care over the total of children

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furnished such care on July 1, 1947, the State Board of Welfare may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Twenty Thousand Dollars (\$20,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(h) To provide for the purchase of fuel for heating school buildings, the State Board of Education, if the building is located in a school district outside of the City of Wilmington, or the Board of Public Education in Wilmington, if the building is located in the consolidated school district in the City of Wilmington, when sums appropriated therefor have become exhausted, may, upon satisfactory proof of emergency, expend all or any part of an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) provided, however, the fuel so purchased is to be consumed before the expiration of the fiscal year in which it is purchased in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(i) To provide for Teachers' Salaries, the State Board of Education may, upon satisfactory proof that sums appropriated therefor for each of the fiscal years of the biennium have become exhausted as a result of the adoption of the State Uniform Salary Schedule and that an emergency exists, expend all or any part of an amount not to exceed Seventy-five Thousand Dollars (\$75,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(j) To provide Special Fire Protection, the State Forestry Department may, upon satisfactory proof of emergency and after the sums appropriated therefor have been exhausted, expend all or any part of an amount not to exceed Four Thousand Dollars (\$4,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(k) To provide additional teachers and/or cost of operation in any school district outside the City of Wilmington, the State Board of Education may, or for additional teachers and/or cost of operation in the consolidated school district in the City of Wilmington, the Board of Public Education in Wilmington may,

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upon satisfactory proof of abnormal pupil enrollment and need therefor, expend all or any part of an amount not to exceed Twenty Thousand Dollars (\$20,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(l) To replace any boiler which shall have been destroyed or condemned but in an amount not to exceed the actual cost of such replacement, any Department or Agency of this State may, upon submission of satisfactory proof of destruction or condemnation, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(m) To provide for the payment of lost and/or out-dated checks issued by any State Treasurer, the Auditor of Accounts may, upon submission of satisfactory proof thereof, be authorized to expend for the redemption thereof all or any part of an amount not to exceed Five Hundred Dollars (\$500.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(n) To provide for the care and treatment of patients at the State Health and Welfare Center at Fort duPont, if and when circumstances unforeseen exhaust the sums appropriated therefor before the end of either of the fiscal years of the biennium ending on June 30, 1949, the Board of Trustees of the Delaware State Hospital may upon submission of satisfactory proof be authorized to expend all or any part of an amount not to exceed Fifty Thousand Dollars (\$50,000.00) during the biennium July 1, 1947, to June 30, 1949.

Section 5. Condition Not Otherwise Provided for Defined:
—It is further provided that a condition not otherwise provided for shall exist only when an expenditure not otherwise authorized by the Budget Appropriation Act or any Supplementary Appropriation Act and for which funds have not otherwise been provided in the budget of any department or agency of this State, has become necessary to the general welfare.

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(a) To provide the National Guard with an appropriation for pay of necessary men and personnel which unforeseen circumstances may require, the Adjutant General may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Twenty Thousand Dollars (\$20,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(b) To provide relief for the unemployable the State Old Age Welfare Commission may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(c) To match any funds made available by the Federal Government for the purpose of furnishing vocational training to volunteer firemen, the State Board of Education may, upon submission of satisfactory proof of the availability of such Federal funds, be authorized to expend all or any part of an amount not to exceed Nine Hundred Dollars (\$900.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(d) To match any funds made available by the Federal Government for teacher training in agriculture the Board of Trustees for the State College for Colored Students may, upon submission of satisfactory proof of the availability of such Federal funds, be authorized to expend all or any part of an amount not to exceed Eight Hundred Eighty-eight Dollars (\$888.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(e) To provide the National Guard with an additional appropriation for administration, operation and repairs and replacements in the event unforeseen demands require it, the Adjutant General may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Sixteen Thousand Dollars (\$16,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

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(f) To provide additional funds for Vocational Education in accordance with the State Plan for Vocational Education, meeting the requirements of Public Law 586, 79th Congress (George-Barden Law), the State Board of Vocational Education may, upon submission of satisfactory proof of emergency, expend all or any part of an amount, not to exceed Thirty-one Thousand Dollars (\$31,000.00) for matching purposes, in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(g) To provide additional appropriation to Delaware City School # 52, to re-establish teaching staff and equipment for the high school program, the State Board of Education may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Seven Thousand Dollars (\$7,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(h) To provide an appropriation for the Student Driving School Safety Program, the State Board of Education may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(i) To provide additional aid for dependent children when sums appropriated therefor have become exhausted as a result of the increase in number of children requiring such care above the total of children receiving such care on July 1, 1947, the State Board of Welfare may, upon submission of satisfactory proof of emergency, be authorized to expend for the fiscal year ending June 30, 1948, all or any part of an amount not to exceed Thirty Thousand Dollars (\$30,000.00) and for the fiscal year ending June 30, 1949, all or any part of an amount not to exceed Thirty Thousand Dollars (\$30,000.00) provided, however, that no part of the sum herein appropriated for either of the fiscal years aforesaid shall be made available to said Board unless the Levy Court of the County in which all or any part of such sum is to be expended shall first authorize the additional expenditure and make an appropriation therefor.

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(j) To provide for the payment of old age pensions when sums appropriated therefor have become exhausted as a result of increase of the number of recipients as of July 1, 1947, or an increase in the amount payable, the Old Age Welfare Commission may, upon satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(k) To make provisions for microfilming and equipment, the Public Archives Commission may, upon satisfactory proof of availability, expend all or any part of One Thousand Two Hundred Dollars (\$1,200.00) in the fiscal year ending June 30, 1948, and all or any part of One Thousand Two Hundred Dollars (\$1,200.00) in the fiscal year ending June 30, 1949.

(l) To provide for administration and operation, the Delaware Aeronautics Commission may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Seven Thousand Dollars (\$7,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(m) To provide appropriation for staffing and equipping, if new addition to school building of Oak Grove School #130 is completed, the State Board of Education may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(n) To provide appropriation for staffing and equipping, if new addition to school building is completed, the Board of Education of Mt. Pleasant Special School District may, upon submission of satisfactory proof of need, be authorized to expend for the fiscal year ending June 30, 1948, all or any part of an amount not to exceed Forty-two Thousand Three Hundred Fifty Dollars (\$42,350.00) and for the fiscal year ending June 30, 1949, all or any part of an amount not to exceed Forty-nine Thousand Six Hundred Dollars (\$49,600.00).

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(o) To provide for installation of new water distributing system for the purpose of adequate fire protection for State buildings in the City of Dover and/or renovating and repairing electric light system around and near the Legislative Hall, the State Custodian may, upon submission of satisfactory proof of need, expend all or any part of an amount not to exceed Twenty-three Thousand Dollars (\$23,000.00) during the biennium ending June 30, 1949.

(p) To provide for the extension of the water distributing system for the purpose of adequate fire protection for the State College for Colored Students, the State Building and Grounds Commission may, upon satisfactory proof of need, expend all or any part of an amount not to exceed Four Thousand Dollars (\$4,000.00) during the biennium ending June 30, 1949.

(q) To provide for deficiency in appropriations for any salary accounts specifically provided to be paid by law, and including salary of any teacher or other employee returning to a position previously occupied by him before military service, to which he was guaranteed return after such service, the State Treasurer may, upon submission of satisfactory proof of such deficiency, be authorized to expend all or any part of an amount not to exceed Twenty Thousand Dollars (\$20,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(r) To provide for the purchase and/or leasing of equipment for the installation of a modern accounting and statistical system, the State Tax Commissioner may, upon submission of satisfactory proof of such need, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) for each year of the biennium July 1, 1947, to June 30, 1949.

(s) To provide for the purchase of new office machines and equipment, the State Tax Department may, upon submission of satisfactory proof of need, expend all or any part of an amount not to exceed Ten Thousand Five Hundred Dollars (\$10,500.00) during the biennium ending June 30, 1949.

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(t) To provide for the control of contagious diseases, the State Board of Agriculture may, upon submission of satisfactory proof of conditions not otherwise provided for as a result of outbreak of contagious diseases of poultry and/or livestock, be authorized to expend all or any part of an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(u) To provide for an abnormal number of claims upon the Department of Livestock Sanitation, the State Board of Agriculture may, upon submission of satisfactory proof of such claims, expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(v) To provide for the maintenance and operation of buildings and equipment and for the instruction of high school students necessitated by the separation of functions for the purposes of accreditation for the State College for Colored Students, the Board of Trustees of the said State College for Colored Students, and/or the Board of Education of the Dover Special School District may, upon submission of satisfactory proof of conditions not otherwise provided for, be authorized to expend all or any part of an amount not to exceed Ten Thousand Dollars (\$10,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(w) To provide for mosquito control and the elimination of mosquito infested areas, the State Highway Department may, upon submission of satisfactory proof of conditions not otherwise provided for, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) for the fiscal year beginning July 1, 1947, and ending June 30, 1948, and not to exceed Thirty-five Thousand Dollars (\$35,000.00) for the fiscal year beginning on July 1, 1948, and ending June 30, 1949.

(x) To provide for deficiency in appropriation for the payment of benefits under the "Delaware State Employees' Pension Act", the State Treasurer may, upon submission of satisfactory

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proof of need, expend all or any part of an amount not to exceed Twenty Thousand Dollars (\$20,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(y) Upon satisfactory proof of an emergency not otherwise herein provided for, the Governor may be authorized to expend all or any part of an amount not to exceed Fifty Thousand Dollars (\$50,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(z) To provide an additional appropriation for farm products inspection and grading services, the State Board of Agriculture may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(aa) To provide an additional appropriation for salaries and wages of the Bureau of Markets, the State Board of Agriculture may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Two Thousand Dollars (\$2,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(bb) To provide for any deficiency in appropriation for the payment of salary increases under the Temporary Salary Increase bill, approved by the Governor on January 27, 1947, the State Auditor may, upon submission of satisfactory proof of need, expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(cc) To provide appropriations for additional expenses incidental to the large enrollment for higher education, the State Board of Education may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

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(dd) To provide appropriations for the preparation of plans and specifications for new, necessary and needed construction at various State institutions and schools, the respective governing authorities of such State institutions and/or the State Board of Education if the building is located in a school district outside the City of Wilmington, and/or the Board of Public Education in Wilmington if the building is located in the consolidated district of the City of Wilmington, may, upon submission of satisfactory proof of such need, be authorized to expend all or any part of an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) during the biennium July 1, 1947, to June 30, 1949.

(ee) To provide additional appropriation for the education and training of handicapped children, the State Board of Education may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Four Thousand Dollars (\$4,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(ff) To provide for the operation of the State Employment Services, the Delaware Unemployment Compensation Commission may, upon satisfactory proof of need be authorized to expend all or any part of an amount not to exceed Twelve Thousand Five Hundred Dollars (\$12,500.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(gg) To provide for deficiency in appropriation for the payment of premiums on Workmen's Compensation Insurance, the governing authority of the various State agencies and institutions and/or heads of departments may, upon submission of satisfactory proof of need, expend all or any part of an amount not to exceed Five Thousand Dollars (\$5,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(hh) To provide appropriation for the renting of building or buildings for school purposes, the Board of Education of the Mt. Pleasant Special School District may, upon submission of satisfactory proof of need, be authorized to expend all or any

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part of an amount not to exceed Five Thousand Dollars (\$5,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(ii) To provide an additional appropriation for instructional salaries and/or supplies for three additional teachers, the Board of Education of Claymont Special School District may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Six Thousand Dollars (\$6,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(jj) To provide an additional appropriation for repairs and replacements, the State Treasurer may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Two Hundred Fifty Dollars (\$250.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(kk) To provide an additional appropriation for operations, the Board of Game and Fish Commissioners may, upon submission of satisfactory proof of need, be authorized to expend all or any part of an amount not to exceed Two Thousand Dollars (\$2,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(ll) To provide an additional appropriation for patients at Brandywine and Edgewood Sanitoriums when sums appropriated therefor have become exhausted as a result of the increase in number of patients requiring care and treatment above the total of patients receiving such care and treatment on July 1, 1947, the State Board of Health may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

(mm) To provide an additional appropriation for four additional teachers, one additional janitor and for additional supplies, textbooks, furniture, and for alterations and other school

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operating costs, the Board of Education of the New Castle Special School District may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed the sum of Eighteen Thousand Three Hundred Dollars (\$18,300.00) for the fiscal year beginning on July 1, 1947, and ending on June 30, 1948, and all or any part of an amount not to exceed Twelve Thousand Dollars (\$12,000.00) for the fiscal year beginning on July 1, 1948, and ending on June 30, 1949.

(nn) To provide an additional appropriation for three additional teachers and/or instructional supplies, the Board of Education of the Laurel Special School District may, upon submission of satisfactory proof of emergency, be authorized to expend all or any part of an amount not to exceed Six Thousand Dollars (\$6,000.00) in each of the respective years of the biennium July 1, 1947, to June 30, 1949.

Section 6. The Auditor of Accounts shall keep actual detailed accounts of the cost or expenditure of any and all portions of the said State Emergency Fund to reflect outlays approved in the manner hereinbefore provided by the Permanent Budget Commission and expended by an individual agency out of the appropriations set forth in this Act, and the Permanent Budget Commission shall submit to the next General Assembly a full and detailed statement of the nature of the emergency or emergencies for which expenditures are authorized, the cause thereof, and a copy of the account maintained therefor by the said Auditor of Accounts.

Section 7. That the Governor, Secretary of State and the State Treasurer shall constitute a commission to negotiate and arrange for the sale or disposition of any notes or certificates of indebtedness to provide for the payment of any appropriations herein contained in the same manner and form as is provided in any budget appropriation bill authorized by this session of the General Assembly and approved by the Governor.

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Section 8. This Act shall be taken and deemed to be a Supplementary Appropriation Act and the sums hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated in accordance with the items and conditions of this Act.

Section 9. All acts or parts of acts inconsistent with this Act are hereby repealed to the extent of such inconsistency only.

Approved March 19, 1947.

CHAPTER 69

STATE EMPLOYEES

VOLUNTARY RETIREMENT PLAN

AN ACT AUTHORIZING VOLUNTARY RETIREMENT PLANS FOR CERTAIN STATE EMPLOYEES; AUTHORIZING ANY BOARD, COMMISSION, AGENCY OR POLITICAL SUBDIVISION OF THE STATE OF DELAWARE TO ADOPT RETIREMENT PLANS; PROVIDING FOR SALARY DEDUCTIONS TO PAY THE COST THEREOF, AND AUTHORIZING THE STATE TREASURER AND TREASURER OR OTHER FISCAL AGENT OF ANY BOARD, COMMISSION, AGENCY OR POLITICAL SUBDIVISION TO MAKE SALARY DEDUCTIONS AND DISBURSE THE SAME.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. Every board, commission, agency or political subdivision of the State of Delaware may, when requested so to do by the employees of any such board, commission, agency or political subdivision, retain one of the leading life insurance companies, licensed in this State, to submit a retirement plan of insurance for such employees, and any such board, commission, agency or political subdivision may, after consultation with such employees, adopt any such retirement plan, and upon the adoption thereof there shall be deducted from the payroll of any employee who voluntarily applies for the benefits of such plan the cost thereof, provided that in no case shall any such deduction exceed three per centum (3%) of such employee's salary.

Section 2. In respect to the employees of the State of Delaware whose salary is received directly from the State Treasurer, the board, commission, agency or political subdivision employing any such employee shall certify to the State Treasurer the names of the participants in the plan provided for in Section 1 hereof, together with the amount or amounts to be deducted in respect to the salary of each of such employees, and the State Treasurer is hereby authorized to make such deductions and deposit the same to the credit of the board, commission, agency

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or political subdivision so certifying in separate and special accounts and disburse the funds therefrom according to the warrant of any such board, commission, agency or political subdivision, and in respect to all State employees who do not receive their salary directly from the State Treasurer but from a board, commission, agency or political subdivision, the procedure shall be the same as hereinabove provided, except that the certification by any such board, commission, agency or political subdivision shall be made to its treasurer or other fiscal agent, who shall make the salary deductions and disburse the same as directed by such board, commission, agency or political subdivision.

Section 3. This Act shall become effective immediately upon the approval thereof.

Approved March 20, 1947.

CHAPTER 70

MOTOR VEHICLES

TEST AND APPROVAL OF LAMPS, FLARES, REFLECTORS
AND OTHER DEVICES**AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
TEST AND APPROVAL OF LAMPS, FLARES, REFLEC-
TORS AND OTHER DEVICES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That 5670. Sec. 132 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by repealing paragraphs designated as (a) and (b) thereof and substituting therefor the following:

(a) It shall be unlawful for any person to sell or offer for sale, either separately or as a part of the equipment of a motor vehicle, or to use upon a highway any electrical headlamp, auxiliary driving lamp, rear lamp, signal lamp, flare, reflector or other lighting or signal lamp or device unless of a type which has been submitted to the Motor Vehicle Commissioner for test and for which a certificate of approval has been obtained from the Commissioner as hereinafter provided. The Commissioner shall adopt and enforce standard specifications as to the amount, color and direction of the light to be emitted by all lamps for compliance with the requirements and limitations set forth in Sections 128, 129 and 130, and the efficiency and adequacy of flares, reflectors and other similar devices; and he shall determine whether such lamps, flares, reflectors and other devices submitted will comply with the requirements of this chapter and the specifications adopted by him, and he shall approve such lamps, flares, reflectors and other devices, and publish lists thereof by name and type, together with the permissible candlepower rating of the bulbs as he shall determine are lawful hereunder.

(b) Any person desiring approval of a device shall submit to the Commissioner two sets of each type of device as to which approval is desired together with a fee of Twenty-five Dollars (\$25.00) for each type of headlamp and auxiliary driving lamp,

MOTOR VEHICLES

TEST AND APPROVAL OF LAMPS, FLARES, REFLECTORS AND OTHER DEVICES

and a fee of Ten Dollars (\$10.00) for each type of rear lamp, signal lamp, flare, reflector or other device submitted. Within thirty (30) days the Commissioner shall, upon notice to the applicant, submit such device to the United States Bureau of Standards or to such other recognized testing laboratory as he may elect for a report as to the compliance of such type of device with the standard specifications and the provisions of this Chapter as to lighting performance. The Commissioner is authorized and required to accept the certificate of the United States Bureau of Standards, or of some other recognized testing laboratory, as to compliance with the specifications and requirements; provided, however, that in cases of dispute as to the findings of such other laboratory, appeal may be made to the United States Bureau of Standards; and provided also that the Commissioner is authorized to refuse approval of any device, certified as complying with the specifications and requirements, which the Commissioner determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this Chapter.

Approved March 20, 1947.

CHAPTER 71

TRANSFER OF CERTAIN BALANCES TO THE MAINTENANCE ACCOUNT
OF SYCAMORE SCHOOL DISTRICT NO. 44 IN SUSSEX COUNTY

AN ACT TO TRANSFER CERTAIN FUNDS TO THE MAINTENANCE ACCOUNT OF SYCAMORE SCHOOL DISTRICT NO. 44 IN SUSSEX COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of Two Hundred and Twenty-Two Dollars and Thirteen Cents (\$222.13), which has heretofore been levied and collected by Sycamore School District No. 44, in Sussex County, in excess of the monies needed for the payment of its bonds and interest on its bonds, be and the same is transferred to the maintenance account of the said Sycamore School District No. 44, to be used and disbursed, as other funds in said account, and as provided by law.

Approved March 21, 1947.

CHAPTER 72

APPROPRIATION

CLAIM OF MILFORD CHRONICLE PUBLISHING COMPANY

AN ACT APPROPRIATING CERTAIN MONEYS OUT OF THE STATE TREASURY TO PAY THE CLAIM OF MILFORD CHRONICLE PUBLISHING COMPANY, BEING THE BALANCE DUE FOR PRINTING THE HOUSE JOURNALS OF THE 1945 SESSION OF THE GENERAL ASSEMBLY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of Two Thousand Five Hundred and Twenty-six Dollars and Sixty-six cents (\$2,526.66) be and the same is hereby appropriated to Milford Chronicle Publishing Company of Milford, Delaware, in payment of the balance due said Company for printing the House Journals of the regular session of the Delaware General Assembly that convened on the third day of January, A. D., 1945.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the moneys hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved March 21, 1947.

CHAPTER 73

FISH, OYSTERS AND GAME

PROVIDING FOR TAG OR BUTTON BEARING LICENSE NUMBER

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "FISH, OYSTERS AND GAME", WITH REFERENCE TO TAGS OR BUTTONS BEARING LICENSE NUMBERS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing from 2806. Sec. 5. thereof the sentence, "The Board shall furnish tag or button bearing the license number in figures at least one-half inch in height, which tag or button said licensee shall display on an outer garment in such manner as to be plainly visible at all times when such license is required to be so displayed, and only the license tag or button for the current year shall be so displayed.", where the said sentence appears near the end of said Section and by inserting and enacting in lieu of said sentence so stricken out, the following sentence: The Board shall furnish tag or button bearing the license number, which tag or button said licensee shall display on an outer garment in such manner as to be plainly visible at all times when such license is required to be so displayed, and only the license tag or button for the current year shall be so displayed.

Approved March 24, 1947.

CHAPTER 74

APPROPRIATION

SOIL CONSERVATION COMMISSION FOR CLEANING AND DRAINAGE
OF POCOMOKE RIVER IN SUSSEX COUNTY**AN ACT APPROPRIATING CERTAIN MONIES TO THE
STATE SOIL CONSERVATION COMMISSION FOR THE
PURPOSE OF CLEANING OUT AND DRAINAGE OF
THE POCOMOKE RIVER IN SUSSEX COUNTY.**

WHEREAS, there exists a necessity to clean out and drain the Pocomoke River drainage system in Sussex County; and

WHEREAS, the land-owners adjacent to and near said waters have, together with others, agreed to contribute funds for said purpose but are unable to provide sufficient monies to pay the total costs thereof; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated to the State Soil Conservation Commission the sum of Twenty-five Hundred Dollars (\$2500.00) for the fiscal year ending June 30, 1948, and the sum of Twenty-five Hundred Dollars (\$2500.00) for the fiscal year ending June 30, 1949, for the purpose of contributing to the costs of cleaning out and draining the Pocomoke River drainage system in Sussex County.

Section 2. That the money hereby appropriated shall be paid to the State Soil Conservation Commission by the State Treasurer from time to time upon certification to him by the Board of Soil District Supervisors of the Soil Conservation District of Sussex County that it has collected or received from the Pocomoke Drainage Corporation, a specified sum of money to be used on said project. The State Treasurer shall make payment to said State Soil Conservation Commission on the basis of Five Hundred Dollars (\$500.00) for each One Thousand Dollars (\$1,000.00) so certified to him by said Board of Soil District Supervisors of The Soil Conservation District of Sussex County

APPROPRIATION

SOIL CONSERVATION COMMISSION FOR CLEANING AND DRAINAGE
OF POCOMOKE RIVER IN SUSSEX COUNTY

as having been by it collected or received from the Pocomoke River Drainage Corporation. The sums from time to time paid to said State Soil Conservation Commission shall be turned over by that body to the Soil Conservation District of Sussex County to be expended for the purposes set forth in this Act.

Section 3. For the purposes of this Act, The Levy Court of Sussex County is hereby authorized and directed to appropriate to the Soil Conservation District of Sussex County the sum of Twenty-five Hundred Dollars (\$2500.00) for the fiscal year ending June 30, 1948, and the sum of Twenty-five Hundred Dollars for the fiscal year ending June 30, 1949, to be used and expended for the purpose of contributing to the costs of cleaning out and draining the Pocomoke River drainage system in Sussex County.

Section 4. That The Levy Court of Sussex County shall pay to the Soil Conservation District of Sussex County from time to time upon certification to them by the Board of Soil District Supervisors of the Soil Conservation District of Sussex County that it has collected or received from the Pocomoke Drainage Corporation, a specified sum of money to be used on said project. The Levy Court of Sussex County shall make payment to said Soil Conservation District of Sussex County on the basis of Five Hundred Dollars (\$500.00) for each One Thousand Dollars (\$1,000.00) so certified to them by said Board of Soil District Supervisors of The Soil Conservation District of Sussex County as having been collected or received from the Pocomoke River Drainage Corporation. The sums from time to time paid to said Soil Conservation District of Sussex County shall be expended for purposes set forth in this Act.

Section 5. This Act shall be known as a Supplementary Appropriation Act and the moneys hereby appropriated in Section 1 of this Act shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved March 24, 1947.

CHAPTER 75

BLADES

INCREASING AMOUNT TO BE RAISED BY TAXATION

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BLADES" BY INCREASING THE AMOUNT TO BE RAISED BY TAXATION BEING CHAPTER 155, VOLUME 28, LAWS OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring therein):

Section 1. That Chapter 155, Volume 28 of the Laws of Delaware entitled "An Act to Incorporate the Town of Blades," as amended, be, and the same is hereby amended by striking out all of Section 23 of the said Act as amended and in lieu thereof enacting and inserting the following paragraph to be known as Section 23:

Section 23. The Council of said Town, after having ascertained the sum necessary to be raised in the said Town for the purposes of this Act, which sum shall in no year exceed Twenty-Five Hundred Dollars clear of dog tax and all delinquencies and expenses of collecting, and after having apportioned the same on the assessment and valuation aforesaid, shall annually in the month of May, or as soon thereafter as convenient, cause to be delivered to the Collector of Taxes, if there be one elected by the Council of said Town in said year, or if there be none to the Treasurer of said Town, a list containing the names of the taxables, as well the owners of real estate as those not owning real estate, and opposite the name of each the amount of the real estate, his poll or per capita and assessable personal property and the tax on the whole valuation and assessment, and the rate per hundred dollars, and which list shall be signed by the President of said Council. The Collector of Taxes, or if there be none elected in said year, the Treasurer of said Town, immediately after receiving said list, and in collecting the same, shall have all the powers conferred by law on the Collectors of the County

BLADES**INCREASING AMOUNT TO BE RAISED BY TAXATION**

rates and levies. In the collection of said taxes, the Council of said Town shall have the power and authority to order the Collector of Taxes, or if there be none, the Treasurer, to deduct five per centum from the amount of tax assessed against the person or property of any one who will pay such tax by the first day of August in any year following the assessment of the same. The Collector of Taxes, before entering upon the duties of his office, shall give bond to the Town of Blades, with sufficient surety to be approved by the Council of said Town, in a penal sum of twice the amount likely to come into his hands, conditioned for the faithful performance of the duties of this office and the payment to the Treasurer of said Town of all money collected by him belonging to said Town, and for the settlement of his accounts with the Council and the Treasurer of said Town in the month of February next following his election as Collector of Taxes, and at such other times as the Council of said Town may require, to which said bond and conditions there shall be annexed a warrant of attorney for the confession of judgment for said penalty. The Collector of Taxes shall receive a reasonable compensation for his services, to be determined by the Council of said Town; provided, that he shall not receive more than ten per centum of the taxes collected by him. The Council shall have power to make just allowances for delinquencies in the collection of taxes.

Approved March 24, 1947.

CHAPTER 76

AUTHORIZING LEVY COURT OF SUSSEX COUNTY TO
PAY MILEAGE TO CORONER

AN ACT AUTHORIZING AND DIRECTING THE LEVY COURT OF SUSSEX COUNTY TO PAY THE NECESSARY TRAVELING EXPENSES OF THE CORONER OF SUSSEX COUNTY, HIS DEPUTIES AND CLERKS, WHILE IN THE CONDUCT OF OFFICIAL DUTIES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Court of Sussex County is hereby authorized and directed to pay mileage, as other County expenses are paid, at the rate of five cents (\$.05) per mile to the Coroner of Sussex County, his official deputies and clerks, for travel in the necessary conduct of the official business of said Coroner.

Section 2. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of said inconsistency.

Approved March 25, 1947.

CHAPTER 77

PROVIDING FOR PAYMENT OF FEES TO WITNESSES AND JURORS
ATTENDING CORONER'S INQUEST**AN ACT TO AMEND CHAPTER 49 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
CORONERS BY PROVIDING FOR THE PAYMENT OF
FEES TO WITNESSES AND JURORS ATTENDING COR-
ONER'S INQUEST.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 49 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing 1522 Section 4 thereof and by inserting in lieu thereof a new section to be known as 1522 Section 4 as follows:

1522 Section 4. Witnesses and Jurors; List and Fees:—
The Coroner of the respective Counties shall send a list of all jurors and witnesses attending an inquest to the Levy Court of the County in which said inquest is held; each of said witnesses shall be paid by the Levy Court of the County in which a Coroner's inquest is held for attendance each day fifty cents, and three cents per mile going and returning; each of said jurors shall be paid by said Court for attendance each day One Dollar, and three cents per mile going and returning.

Approved March 25, 1947.

CHAPTER 78

PROVIDING FOR FEES AND MILEAGE TO WITNESSES AND JURORS
AT CORONER'S INQUEST**AN ACT TO AMEND CHAPTER 156 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
FEES OF PUBLIC OFFICERS BY PROVIDING FOR
WITNESS FEES AND MILEAGE FOR WITNESSES AT
CORONER'S INQUEST; BY PROVIDING FOR FEES FOR
JURORS AT CORONER'S INQUEST.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 156 of the Revised Code of Delaware, 1935, as amended, be and the same hereby is further amended by striking out and repealing the third paragraph of 5362 Section 19 thereof reading as follows:

"Attendance at Coroner's inquest in New Castle County
fifty cents, and three cents per mile going and return-
ing.",

and inserting in lieu thereof the following:

"Attendance at Coroner's inquest fifty cents, and three
cents per mile going and returning."

Section 2. That Chapter 156 of the Revised Code of Delaware, 1935, as amended, be and the same hereby is further amended by striking out and repealing the following language and figures appearing in 5365 Section 22 thereof, to wit:

| | |
|--|--------|
| "Joining in inquisition of death taken by the Coroner, or other officer in view of the body, in Kent and Sussex Counties | .33 |
| In New Castle County | 1.00", |

and inserting in lieu thereof the following:

"Joining in inquisition of death taken by the
Coroner, or other officer in view of the body.....\$1.00".

Approved March 25, 1947.

CHAPTER 79

STATE OLD AGE WELFARE COMMISSION

PROVISIONS CONCERNING ASSISTANCE

AN ACT TO AMEND CHAPTER 54 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE STATE OLD AGE WELFARE COMMISSION, BY INCREASING THE MAXIMUM AMOUNT OF ASSISTANCE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1610. Sec. 7. of Chapter 54 of the Revised Code of Delaware, 1935, as amended by Chapter 124, Volume 41, Laws of Delaware, 1937, thereof, and as amended by Chapter 96, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by repealing and striking out all of said 1610. Sec. 7., as amended. and enacting and inserting in lieu thereof a new Section 1610. Sec. 7. as follows:

1610. Sec. 7. Amount of Assistance Limited; Appeals:—
The amount of assistance allowed in each case of an old age person shall be limited by the circumstances of such case as ascertained, after full and complete investigation, by the said Commission. The amount of assistance allowed in each case shall be determined by the Commission with due regard to the circumstances, but in no case shall it be an amount which, when added to the regular cash income of the old age person, including income from property or other sources, as ascertained by the Commission, will equal to or exceed Four Hundred and Eighty Dollars (\$480.00) annually. In no case shall the amount of assistance allowed exceed Forty Dollars (\$40.00) monthly. Any applicant or recipient of assistance who is dissatisfied with the action of the Commission regarding his or her claim for assistance under this Article may appeal to the President of the Commission, and upon such appeal must be granted an opportunity for a fair hearing.

Approved March 25, 1947.

CHAPTER 80

MOTOR VEHICLES

RELATING TO FEES FOR NEW NUMBER AND REGISTRATION PLATES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO FEES FOR NEW NUMBER AND REGISTRATION PLATES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5564. Sec. 26 of Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 244, Volume 43, Laws of Delaware, be and the same is hereby amended by repealing all of paragraph (5) (e) of Section 15 of said Chapter 244, Volume 43, Laws of Delaware, and by substituting therefor the following:

(e) Number and registration plates shall be the property of the State of Delaware, and shall be furnished by the Department for each registered motor vehicle without additional cost to the owner, provided, however, that whenever number or registration plates shall be lost, destroyed or effaced in such manner as not to comply with the provisions of Section 12 of this Article, new number plates shall be furnished by the Department and the owner shall pay to the Department therefor as follows: for each number plate, the sum of one dollar; for each removable registration plate, the sum of twenty-five cents.

The Department shall pay to the owner the sum of fifty cents for each number plate returned to the Department in accordance with the provisions of Section 15 (e) of this Article.

Approved March 25, 1947.

CHAPTER 81

MOTOR VEHICLES

RELATING TO PENALTIES FOR MISDEMEANORS RELATING TO
OPERATORS' AND CHAUFFEURS' LICENSES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "MOTOR VEHICLES" WITH REFERENCE TO PENALTIES UPON CONVICTIONS FOR MISDEMEANORS UNDER ARTICLE 4 THEREOF RELATING TO OPERATORS' AND CHAUFFEURS' LICENSES, WHERE NO SPECIFIC PENALTY IS PROVIDED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5617. Sec. 79 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by repealing all of paragraph (b) thereof, and substituting therefor the following:

(b) Every person convicted of a misdemeanor for the violation of any provision of Article 4 of this Chapter, where no specific penalty is otherwise provided, shall be punished for the first offense by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment of not less than five (5) days nor more than thirty (30) days, or by both fine and imprisonment; and for each subsequent like offense, by a fine of not less than Twenty Five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment for not less than ten (10) days nor more than sixty (60) days, or by both such fine and imprisonment.

Approved March 25, 1947.

CHAPTER 82

VIOLA

AN ACT TO AMEND CHAPTER 239 OF VOLUME 27, LAWS OF DELAWARE, 1913, ENTITLED, "AN ACT TO INCORPORATE THE TOWN OF VIOLA", BY INCREASING THE AMOUNT THAT MAY BE RAISED ANNUALLY BY TAXATION IN SAID TOWN.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members of each House concurring therein):

Section 1. That Chapter 239 of Volume 27, Laws of Delaware, 1913, be and the same is hereby amended by striking out and repealing the first paragraph of Section 6 of said Chapter and inserting and enacting in lieu of the part so stricken out a new first paragraph as follows:

Section 6. That the commissioners herein named and their successors in office shall, at their first stated meeting in every year, determine the amount of tax to be raised in said town for that year, not exceeding Five Hundred Dollars (\$500.00) including tax on real and personal property and poll tax; and they shall appoint an assessor, who may or may not be one of their number, to make an assessment of persons and property in said town; and shall also appoint a collector and treasurer, who may or may not be one of their number.

Approved March 25, 1947.

CHAPTER 83

INCREASING SALARY OF WARDEN OF KENT COUNTY JAIL

AN ACT TO AMEND CHAPTER 216, VOLUME 43, LAWS OF DELAWARE, 1941, AS AMENDED, WITH REFERENCE TO THE SALARY OF THE WARDEN OF THE KENT COUNTY JAIL.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 216, Volume 43, Laws of Delaware, 1941, as amended by Chapter 168, Volume 44, Laws of Delaware, 1943, be and the same is hereby further amended by striking out and repealing all of Section 4 of said Chapter 216 as amended and by inserting and enacting in lieu thereof a new Section 4 as follows:

Section 4. In addition to the living expenses enumerated in Section 2, said Warden shall receive as an additional compensation for his services, the sum of Twenty-four Hundred Dollars (\$2400.00) annually, payable in equal monthly installments.

Approved March 25, 1947.

CHAPTER 84

APPROPRIATION

SOIL CONSERVATION COMMISSION—DRAINAGE OF TAX DITCHES IN KENT COUNTY

AN ACT APPROPRIATING CERTAIN MONEYS TO THE STATE SOIL CONSERVATION COMMISSION FOR THE DRAINAGE OF TAX DITCHES IN KENT COUNTY.

WHEREAS, there exists a necessity to clean out and drain certain tax ditches in Kent County, State of Delaware; and

WHEREAS, land owners, adjacent to and near said tax ditches, have agreed to contribute funds for said purpose; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated to the State Soil Conservation Commission the sum of Twenty-five Hundred Dollars (\$2500.00) for each of the fiscal years beginning July 1, 1947 and ending June 30, 1948, and beginning July 1, 1948 and ending June 30, 1949, to be used and expended for the purpose of contributing to the costs of clearing banks, removing obstructions, straightening, cleaning out and draining the tax ditches of Kent County.

Section 2. For the purposes of this Act, the Levy Court of Kent County is hereby authorized and directed to appropriate to the State Soil Conservation Commission the further sum of Twenty-five Hundred Dollars (\$2500.00) for each of the fiscal years beginning July 1, 1947 and ending June 30, 1948, and beginning July 1, 1948 and ending June 30, 1949, to be used and expended for the purpose of contributing to the costs of clearing banks, removing obstructions, straightening, cleaning out and draining the tax ditches of Kent County.

Section 3. That the money hereby appropriated shall be paid to the State Soil Conservation Commission by the State Treasurer and the Levy Court of Kent County from time to time

APPROPRIATION

SOIL CONSERVATION COMMISSION—DRAINAGE OF TAX DITCHES
IN KENT COUNTY

upon certification to the State Treasurer and the Levy Court of Kent County by The Board of Soil District Supervisors of the Soil Conservation District of Kent County that it has collected or received, from farmers and others benefiting from such clearing banks, removing obstructions, straightening, cleaning out and draining of said tax ditches, a specified sum of money to be used on said project. The State Treasurer, and the Levy Court of Kent County, shall make payment to said State Soil Conservation Commission on the basis of Fifty Cents (\$0.50) for every Dollar (\$1.00) or more so certified to the State Treasurer and the Levy Court of Kent County by the Board of Soil District Supervisors of the Soil Conservation District of Kent County, as having been by it collected or received from farmers and others benefiting from such clearing banks, removing obstructions, straightening, cleaning out or draining of said tax ditches in Kent County.

Section 4. The sums of money from time to time paid to the State Soil Conservation Commission shall be used and expended by the Board of Soil District Supervisors of the Soil Conservation District of Kent County on such tax ditches for which contributions from farmers and others benefiting from such cleaning out and draining have been collected or received as shall be determined by the said Board of soil district supervisors.

Section 5. This Act shall be known as a Supplementary Appropriation Act and the moneys hereby appropriated by Section 1 of this Act shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved March 25, 1947.

CHAPTER 85

APPROPRIATION

SOIL CONSERVATION COMMISSION—DRAINAGE OF TAX DITCHES
IN SUSSEX COUNTY**AN ACT APPROPRIATING CERTAIN MONEYS TO THE
STATE SOIL CONSERVATION COMMISSION FOR THE
DRAINAGE OF TAX DITCHES IN SUSSEX COUNTY.**

WHEREAS, there exists a necessity to clean out and drain certain tax ditches in Sussex County, State of Delaware; and

WHEREAS, land owners, adjacent to and near said tax ditches, have agreed to contribute funds for said purpose; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated to the State Soil Conservation Commission the sum of Twenty-five Hundred Dollars (\$2500.00) for each of the fiscal years beginning July 1, 1947 and ending June 30, 1948, and beginning July 1, 1948 and ending June 30, 1949, to be used and expended for the purpose of contributing to the costs of clearing banks, removing obstructions, straightening, cleaning out and draining the tax ditches of Sussex County.

Section 2. For the purposes of this Act, the Levy Court of Sussex County is hereby authorized and directed to appropriate to the State Soil Conservation Commission the further sum of Twenty-five Hundred Dollars (\$2500.00) for each of the fiscal years beginning July 1, 1947 and ending June 30, 1948, and beginning July 1, 1948 and ending June 30, 1949, to be used and expended for the purpose of contributing to the costs of clearing banks, removing obstructions, straightening, cleaning out and draining the tax ditches of Sussex County.

Section 3. That the money hereby appropriated shall be paid to the State Soil Conservation Commission by the State Treasurer and the Levy Court of Sussex County from time to

APPROPRIATION

SOIL CONSERVATION COMMISSION—DRAINAGE OF TAX DITCHES IN SUSSEX COUNTY

time upon certification to the State Treasurer and the Levy Court of Sussex County by the Board of Soil District Supervisors of the Soil Conservation District of Sussex County that it has collected or received, from farmers and others benefiting from such clearing banks, removing obstructions, straightening, cleaning out and draining of said tax ditches, a specified sum of money to be used on said project. The State Treasurer, and the Levy Court of Sussex County, shall make payment to said State Soil Conservation Commission the sum of Fifty Cents (\$0.50) for every Dollar (\$1.00) or more so certified to the State Treasurer and the Levy Court of Sussex County by the Board of Soil District Supervisors of the Soil Conservation District of Sussex County, as having been by it collected or received from farmers and others benefiting from such clearing banks, removing obstructions, straightening, cleaning out or draining of said tax ditches in Sussex County.

Section 4. The sums of money from time to time paid to the State Soil Conservation Commission shall be used and expended by the Board of Soil District Supervisors of the Soil Conservation District of Sussex County on such tax ditches for which contributions from farmers and others benefiting from such cleaning out and draining have been collected or received as shall be determined by the said Board of soil district supervisors.

Section 5. This Act shall be known as a Supplementary Appropriation Act and the moneys hereby appropriated by Section 1 of this Act shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved March 25, 1947.

CHAPTER 86

MOTOR VEHICLES

CHANGING AUTHORIZED LENGTH AND WEIGHT OF MOTOR VEHICLES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "MOTOR VEHICLES", IN RELATION TO THE LENGTH OF A TRACTOR-SEMI-TRAILER AND WEIGHTS OF VEHICLES AND LOADS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing 5653. Sec. 115. thereof and substituting and enacting in lieu thereof, a new Section to be known as 5653. Sec. 115., as follows:

5653. Sec. 115. Size of Vehicles and Load; Exceptions:—

(a) No vehicle shall exceed a total outside width, including any load thereon, of eight feet, except that the width of farm tractor shall not exceed nine feet, and excepting further, that the limitations as to size of vehicles stated in this Section shall not apply to implements of husbandry temporarily propelled or moved upon the public highway.

(b) No vehicle unladen or with load shall exceed a height of 12 feet and 6 inches.

(c) No vehicle shall exceed a length of thirty-five feet and no tractor-semi-trailer shall exceed a length of fifty feet and no other combination of vehicles coupled together shall exceed sixty feet.

(d) No train of vehicles or vehicle operated alone shall carry any load extending more than three feet beyond the front thereof.

(e) No passenger vehicle shall carry any load extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fender on the right side thereof.

MOTOR VEHICLES

CHANGING AUTHORIZED LENGTH AND WEIGHT OF MOTOR VEHICLES

Section 2. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing 5655. Sec. 117. thereof and substituting and enacting in lieu thereof, a new Section to be known as 5655. Sec. 117., as follows:

5655. Sec. 117. Weights of Vehicles and Loads:—

(a) No motor vehicle, equipped with solid rubber tires, shall have a gross weight, including vehicle and load, of more than twenty-two thousand (22,000) pounds, nor shall any two-axle motor vehicle equipped with pneumatic tires have a gross weight, including vehicle and load, of more than twenty-six thousand (26,000) pounds, or a gross weight of more than thirty-six thousand (36,000) pounds for a three axle vehicle.

(b) No vehicle with solid tires shall have an axle load of more than sixteen thousand (16,000) pounds.

(c) No motor vehicle or physically connected combination of vehicles, mounted on pneumatic tires, shall have an axle load in excess of seven hundred (700) pounds per inch of the aggregate width of its tires (measured at the point of greatest width of each tire) or more than twenty thousand (20,000) pounds in any event.

(d) The gross weight of a trailer and load together shall not exceed twenty-two thousand (22,000) pounds.

(e) No trailer equipped with metal tires bearing a gross load in excess of six thousand (6,000) pounds shall be allowed on State Highways.

(f) No motor vehicle or combination of vehicles the gross weight of which is in excess of thirty-six thousand (36,000) pounds, shall be operated on the highways of the State unless such vehicle or combination of vehicles is equipped with power brakes.

(g) It shall be lawful to operate a vehicle equipped with two axles, with a power brake on each rear rub provided that the gross weight including vehicle and load does not exceed thirty thousand (30,000) pounds.

MOTOR VEHICLES

CHANGING AUTHORIZED LENGTH AND WEIGHT OF MOTOR VEHICLES

(h) It shall be lawful to operate a vehicle equipped with three (3) axles, having each of the rear axles equipped with two hubs, with a power brake on each rear hub provided that the gross weight including vehicle and load, does not exceed forty thousand (40,000) pounds.

(i) It shall be lawful to operate a semi-trailer with one axle, equipped with a power brake on each hub, provided that the gross weight of the combination of tractor and semi-trailer does not exceed forty-eight thousand (48,000) pounds.

(j) It shall be lawful to operate a semi-trailer, equipped with coupled axles spaced forty-eight inches or more apart measured horizontally, with a power brake on each hub, provided that the axle weight does not exceed 18,000 pounds per axle, and provided further that the gross weight of the combination tractor and coupled axle semi-trailer, does not exceed sixty thousand (60,000) pounds.

(k) Provided, however, that with respect to any vehicle containing coupled axles spaced less than forty-eight (48) inches apart measured horizontally between their center lines, the load for each of such coupled axles shall not exceed ten thousand (10,000) pounds, the load for axles spaced forty-eight (48) inches or more apart center to center of axles shall be governed by the table for maximum gross weights.

(l) The total gross weight imposed on the highway by any group of two or more consecutive axles of a vehicle or of any combination of vehicles shall not exceed that given in the following table for the respective distance between the centers of the first and last axles of said two or more consecutive axles:

TABLE FOR MAXIMUM GROSS WEIGHTS

| DISTANCE IN FEET BETWEEN FIRST AND LAST AXLES OF ANY GROUP | MAXIMUM LOAD IN POUNDS CARRIED ON ANY GROUP |
|---|--|
| Less than 4 feet | 20,000 |
| 4 feet | 36,000 |
| 5 feet | 36,000 |
| 6 feet | 36,000 |
| 7 feet | 36,000 |

MOTOR VEHICLES

CHANGING AUTHORIZED LENGTH AND WEIGHT OF MOTOR VEHICLES

| | |
|-----------------|--------|
| 8 feet | 36,000 |
| 9 feet | 36,000 |
| 10 feet | 36,000 |
| 11 feet | 36,000 |
| 12 feet | 36,470 |
| 13 feet | 37,420 |
| 14 feet | 38,360 |
| 15 feet | 39,300 |
| 16 feet | 40,230 |
| 17 feet | 41,160 |
| 18 feet | 42,080 |
| 19 feet | 42,990 |
| 20 feet | 43,900 |
| 21 feet | 44,800 |
| 22 feet | 45,700 |
| 23 feet | 46,590 |
| 24 feet | 47,470 |
| 25 feet | 48,350 |
| 26 feet | 49,220 |
| 27 feet | 50,090 |
| 28 feet | 50,950 |
| 29 feet | 51,800 |
| 30 feet | 52,650 |
| 31 feet | 53,490 |
| 32 feet | 54,330 |
| 33 feet | 55,160 |
| 34 feet | 55,980 |
| 35 feet | 56,800 |
| 36 feet | 57,610 |
| 37 feet | 58,420 |
| 38 feet | 59,220 |
| 39 or more..... | 60,000 |

(m) The distance between axles shall be measured to the nearest even foot. When a fraction is exactly one-half foot the next larger whole number shall be used.

Approved March 25, 1947.

CHAPTER 87

STATE SOIL CONSERVATION COMMISSION

AUTHORITY TO INCUR INDEBTEDNESS

AN ACT TO AMEND CHAPTER 212, VOLUME 44, LAWS OF DELAWARE, ENTITLED "AN ACT TO PROVIDE FOR THE CREATION OF SOIL CONSERVATION DISTRICTS WHICH SHALL ENGAGE IN SAVING THE PRODUCTIVE POWER OF DELAWARE FARM LAND BY MAINTAINING OR IMPROVING THE FERTILITY OF THE SOIL, INCLUDING FARM DRAINAGE AND THE PREVENTION OR CONTROL OF SOIL EROSION; TO DEFINE THE POWERS AND DUTIES OF SOIL CONSERVATION DISTRICTS, AND TO PROVIDE FOR THE EXERCISE OF SUCH POWERS AND DUTIES, INCLUDING THE AUTHORITY TO ACCEPT MONEY OR OTHER AID FROM ANY AGENCY OF THE UNITED STATES OR OF THE STATE OF DELAWARE; TO ESTABLISH THE STATE SOIL CONSERVATION COMMISSION AS THE ADMINISTRATIVE HEAD OF ALL SOIL CONSERVATION DISTRICTS HEREAFTER TO BE ESTABLISHED UNDER THE PROVISIONS OF THIS ACT, AND TO DEFINE THE POWERS AND DUTIES OF THIS COMMISSION", RELATING TO AUTHORITY TO INCUR INDEBTEDNESS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 212, Volume 44, Laws of Delaware, be and the same is hereby amended by striking out all of Section 8 of said Chapter and substituting in lieu thereof the following new Section, to be known as Section 8.

Section 8. The supervisors of any soil district shall not have, nor exercise, the right of eminent domain; nor shall they have authority to incur indebtedness beyond available funds, except for the purchase of equipment by and with the approval of the State Soil Conservation Commission; nor to levy taxes; nor to issue bonds; but they may accept voluntary contributions

STATE SOIL CONSERVATION COMMISSION

AUTHORITY TO INCUR INDEBTEDNESS

from any source, provided such donations are offered for the sole and exclusive purpose of promoting the conservation of soil or drainage thereof within that soil district, and provided the district supervisors shall satisfactorily guarantee to the donors the faithful use of their donations for that purpose; nor shall they begin the execution of any program for the saving of the soil on any farm in that soil district before securing the approval of such program by the land owners; nor shall they engage in agricultural research, except by and under the direction of the Delaware Agricultural Experiment station.

Approved March 25, 1947.

CHAPTER 88

DELAWARE COMMISSION FOR THE BLIND

REQUIRING THAT CASES OF BLINDNESS BE REPORTED
TO COMMISSION

AN ACT TO AMEND CHAPTER 75 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, BY REQUIRING THAT EVERY HEALTH AND SOCIAL AGENCY, ATTENDING OR CONSULTING PHYSICIAN OR NURSE, REPORT CASES OF BLINDNESS AS HEREIN DEFINED TO THE DELAWARE COMMISSION FOR THE BLIND.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 75 of the Revised Code of Delaware, 1935, as amended, be further amended by inserting after 3050. Sec. 4. thereof a new Section to be designated 3050A. Sec. 4A. as follows:

3050A. Sec. 4A. Blind Cases Reported; by Whom; Where; Definition:—It shall be the duty of every health and social agency, attending or consulting physician or nurse to report to the Delaware Commission for the Blind, in writing, the name, age and residence of persons who are blind within the definition of blindness as hereafter set forth and in such cases to furnish such additional information as the Commission shall request for registration or prevention of blindness.

A blind person shall be defined as one who is totally blind or has visual acuity of not more than 20/200 in the better eye with correction or whose vision is limited in field so that the widest diameter subtends an angle no greater than 20 degrees.

Approved March 25, 1947.

CHAPTER 89

APPROPRIATION

DELAWARE COMMISSION FOR THE BLIND

**AN ACT APPROPRIATING MONEY TO THE DELAWARE
COMMISSION FOR THE BLIND FOR EXPENSES FOR
EACH OF THE TWO FISCAL YEARS ENDING JUNE 30,
1948, AND JUNE 30, 1949.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the sum of Forty-eight Thousand Fourteen Dollars (\$48,014.00) for the fiscal year beginning July 1, 1947 and ending June 30, 1948, and that the sum of Forty-nine Thousand Seven Hundred Eighty-eight Dollars (\$49,788.00) for the fiscal year beginning July 1, 1948 and ending June 30, 1949 be and the same are hereby appropriated to the Delaware Commission for the Blind for the purposes set forth in 3054. Section 8 of the Revised Code of Delaware, 1935.

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved March 25, 1947.

CHAPTER 90

PROVIDING FOR USE OF CANES BY THE BLIND

**AN ACT TO PROHIBIT THE USE OF CERTAIN CANES
EXCEPT BY BLIND PERSONS, REGULATING THE
OPERATION OF VEHICLES APPROACHING BLIND
PERSONS, PROVIDING PROTECTION AGAINST ACCI-
DENTS TO SUCH BLIND PERSONS, AND PROVIDING
PENALTIES FOR THE VIOLATION THEREOF.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. No persons except those wholly or partially blind should carry in a raised or extended position on any street or highway a cane or walking stick which is white in color or white tipped with red.

Section 2. Any driver of a vehicle who approaches a person wholly or partially blind, carrying a cane or walking stick white in color, or white tipped with red, shall immediately come to a full stop, and take such precautions before proceeding as may be necessary to avoid accident or injury to the person wholly or partially blind.

Section 3. **Violations and Penalties:**—Any person who shall violate the provisions of this Act shall, upon summary conviction before any Magistrate, Alderman or Justice of the Peace, be sentenced to pay a fine of not more than Twenty-five Dollars and the cost of prosecution, and in default of the payment thereof shall undergo imprisonment for not more than ten days.

Approved March 25, 1947.

CHAPTER 91

STATE JUDICIARY

PROVIDING FOR REPEAL OF PENSIONS FOR FORMER MEMBERS

AN ACT TO REPEAL CHAPTER 200 OF VOLUME 41, LAWS OF DELAWARE, 1937, ENTITLED, "AN ACT IN REFERENCE TO PENSIONS FOR FORMER MEMBERS OF THE STATE JUDICIARY".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 200 of Volume 41, Laws of Delaware, 1937, be and the same is hereby repealed.

Approved March 25, 1947.

CHAPTER 92

ENLARGING SCOPE OF PROBATION

AN ACT TO AMEND CHAPTER 87 OF THE REVISED CODE OF DELAWARE, 1935, BY ENLARGING THE SCOPE OF PROBATION AS SET FORTH IN 3530. SEC. 5. THEREOF.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 87 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out all of 3530. Sec. 5. thereof and by inserting and enacting in lieu of the part so stricken out a new 3530. Sec. 5. as follows:

3530. Sec. 5. Order of the Court; Scope of; when Made; Probation of Defendant; Recognizance; Condition of:—Before the trial, with the consent of the Defendant, or at the trial on entry of a plea of guilty, or after conviction, instead of imposing the penalty hereinbefore provided, or in addition thereto, the Court, in its discretion, having regard to the circumstances, and to the financial ability or earning capacity of the defendant shall have the power to make an order, which shall be subject to change by the Court from time to time, as circumstances may require;

(a) to pay a certain sum periodically into the Court for the support of his wife, and/or his minor child or children;

(b) to faithfully keep such other reasonable terms and conditions of probation as to the Court shall seem proper, and

(c) to release the defendant from custody on probation;

(d) to require the defendant to enter into a recognizance, with or without surety in such sum as the Court shall require, conditioned that if the Defendant shall make his or her personal appearance in Court, whenever ordered to do so, and shall further comply with all the terms of his probation, including all lawful subsequent modifications thereof, then such recognizance shall be void, otherwise in full force and effect.

Approved March 25, 1947.

CHAPTER 93

CONVEYANCES

MAKING VALID INSTRUMENTS WHICH HAVE NOT BEEN
PROPERLY ACKNOWLEDGED**AN ACT TO MAKE VALID IMPROPERLY ACKNOWLEDGED
LEGAL INSTRUMENTS AND DOCUMENTS AND THE
RECORD AND FILING THEREOF.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the filing and/or record in any State, county or other public office in this State of any legal instrument or document dated prior to the first day of January, A. D. 1947, which, when duly executed and acknowledged, is by law directed, authorized or entitled to be filed and/or recorded in such office, and which has been duly executed by the proper party or parties, notwithstanding that such instrument or document has not been acknowledged before an officer authorized by the Laws of Delaware to take acknowledgments, or has not been otherwise properly acknowledged, or the acknowledgment of which, including the private examination of any married woman party thereto, has not been taken and certified in conformity with the laws of this State in force at the time such instrument or document was executed, and each such instrument or document, recorded and/or filed as aforesaid, shall be and the same are hereby severally made as valid and effective in law as if such instrument or document had been correctly acknowledged and the acknowledgement correctly certified; and the said record of each such instrument or document, or any office copy thereof as recorded and/or filed, or the original instrument or document itself, shall be admitted as evidence in all Courts of this State and shall be as valid and conclusive evidence as if such instrument or document had been in all respects acknowledged and the acknowledgment certified in accordance with the then existing law.

Approved March 25, 1947.

CHAPTER 94

STATE HIGHWAY DEPARTMENT

AUTHORIZING COOPERATION WITH MARYLAND IN RESETTling
MONUMENT ON MARYLAND-DELAWARE STATE LINE**AN ACT TO AUTHORIZE THE STATE HIGHWAY DEPARTMENT TO COOPERATE WITH THE PROPER AUTHORITIES IN THE STATE OF MARYLAND IN RESETTling A MONUMENT OR MARKER ON THE MARYLAND-DELAWARE STATE LINE.**

WHEREAS, there has come into the possession of the State Highway Department of the State of Delaware a monument or marker that formed a part of the Mason and Dixon Line, dividing the States of Maryland and Delaware; and

WHEREAS, it is desirable that said marker be reset at its original location in the line constituting a part of the boundary between the two States, and at or near Bohemia Mills; NOW, THEREFORE,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Highway Department of the State of Delaware be and it is hereby authorized and directed to cooperate with the proper authorities of the State of Maryland to reset at its original location a marker or monument now in the possession of said Department and which constituted a part of the Mason and Dixon Line, and which marked a point in the boundary line between the States of Maryland and Delaware.

Section 2. That the said State Highway Department is hereby authorized and directed to expend from the State funds available to said Department such sum or sums or money as may be necessary to carry out, on behalf of the State of Delaware, the purposes of this Act.

Approved March 25, 1947.

CHAPTER 95

STATE BOARD OF PHARMACY

ASSISTANT PHARMACISTS AND FEES

AN ACT TO AMEND CHAPTER 28 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED, "STATE BOARD OF PHARMACY", WITH REFERENCE TO ASSISTANT PHARMACISTS AND FEES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 28 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out and repealing 943. Sec. 8. thereof and by inserting in lieu of the part so stricken out a new 943. Sec. 8. as follows:

943. Sec. 8. Application for License; Examination:—Every person who shall desire to be licensed as a pharmacist and every apprentice employed in a pharmacy and engaged as such prior to June 30, A. D. 1946 who shall desire to take an examination for assistant pharmacist within two years after the passage of this Act, shall file with the Secretary of the Board of Pharmacy an application, duly verified under oath, setting forth the name and age of the applicant, the place or places at which, and the time spent in the study of the science and art of pharmacy, the experience in the compounding of physicians' prescriptions which the applicant has had under the direction of a legally licensed pharmacist, and shall appear at a time and place designated by the Board of Pharmacy and submit to an examination as to his qualifications for registration as a licensed pharmacist or assistant pharmacist.

Section 2. That Chapter 28 of the Revised Code of Delaware, 1935, as amended by Chapter 91, Volume 42, Laws of Delaware, 1939, be further amended by striking out and repealing all of the paragraph designated 944. Sec. 10. and substituting and enacting in lieu thereof a new paragraph at the end of 944. Sec. 9. of said Chapter as follows:

STATE BOARD OF PHARMACY**ASSISTANT PHARMACISTS AND FEES**

Provided, however, that in the case of persons not having been a graduate of a recognized school or college of pharmacy, but who have passed the examination of assistant pharmacist, and who were registered prior to the passage and approval of this Act, are hereby qualified to apply for examination as Pharmacist within two years from the date of the passage and approval of this Act.

Section 3. That Chapter 28 of the Revised Code of Delaware, 1935, as amended by Chapter 90, Volume 45, Laws of Delaware, 1945, be amended by striking out of the ninth paragraph of 948. Sec. 13. thereof the figures "\$2.00" and substituting and enacting in lieu thereof the figures "\$25.00", so that the amended paragraph shall read as follows: "For annual renewal of permit to manufacture, \$25.00."

Approved March 27, 1947.

CHAPTER 96

APPROPRIATION

TO ATTORNEY GENERAL FOR DEFRAYING SHARE OF THE STATE OF
DELAWARE OF EXPENSES OF SUIT APPEALED TO
UNITED STATES SUPREME COURT

AN ACT MAKING AN APPROPRIATION TO THE ATTORNEY GENERAL OF THE STATE OF DELAWARE FOR THE PURPOSE OF DEFRAYING THE SHARE OF THE STATE OF DELAWARE OF THE COSTS AND EXPENSES OF A SUIT APPEALED TO THE SUPREME COURT OF THE UNITED STATES OF AMERICA PARTICIPATED IN BY SEVEN OTHER STATES.

WHEREAS, there is a suit pending in the Supreme Court of the United States of America in the names of the States of New York, New Jersey, Delaware, Pennsylvania, Ohio, Indiana, Michigan and Wisconsin v. the United States of America, et al., U. S. Supreme Court Nos. 343, 344, 345 October Term, 1946, seeking a review of the order of the Interstate Commerce Commission in the so-called Class Rate Case which would require a ten per cent increase in freight rates for the transportation of classified freight within the Northern States; and

WHEREAS, it is estimated that this order would cause an increase in freight expenses to the citizens and industries of the above named states amounting to several million dollars a month; and

WHEREAS, the State of Delaware has been called upon to pay its proportionate share towards the printing costs of the record on appeal; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other monies appropriated to the Attorney General of the State of Delaware for the fiscal year ending June 30, 1947, there is hereby appropriated to the Attorney General of the State of Delaware the further stated

APPROPRIATION

TO ATTORNEY GENERAL FOR DEFRAYING SHARE OF THE STATE OF
DELAWARE OF EXPENSES OF SUIT APPEALED TO
UNITED STATES SUPREME COURT

sum of Thirty-five Hundred Dollars (\$3500.00) or so much thereof as may be necessary to pay the share of the State of Delaware of the costs of printing the record of a suit appealed to the Supreme Court of the United States of America above referred to.

That the said sum shall be available for use by the Attorney General of the State of Delaware on the approval of this Act.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved March 27, 1947.

CHAPTER 97

APPROPRIATION

CUSTODIAN FOR EXTRAORDINARY EXPENSES

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE CUSTODIAN OF THE STATE HOUSE FOR EXTRAORDINARY EXPENSES NECESSARY TO PROVIDE CARE AND MAINTENANCE OF STATE PROPERTY FOR THE FISCAL YEAR ENDING JUNE 30, A. D., 1947.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other money appropriated to the Custodian of the State House, there is hereby appropriated to said official, an additional sum of Five Thousand Dollars (\$5,000.00) to meet extraordinary expenses necessary for the care and maintenance of State property during the fiscal year ending June 30, 1947.

Section 2. The State Treasurer shall pay the sum so appropriated, or so much thereof as may be necessary, upon warrant or warrants duly approved by the Custodian of the State House.

Section 3. This bill shall be known as a supplementary and a deficiency appropriation act and funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved March 27, 1947.

CHAPTER 98

APPROPRIATION

EMERGENCY APPROPRIATION TO DEFRAY COSTS OF PRINTING
SESSION LAWS AND JOURNALS**AN ACT MAKING AN EMERGENCY APPROPRIATION TO
DEFRAY THE COST OF PRINTING THE SESSION
LAWS AND HOUSE AND SENATE JOURNALS.**

WHEREAS, the cost of printing has continued to advance;
and

WHEREAS, the funds presently available for the purpose
are not sufficient to print the session laws of the General Assem-
bly and the House and Senate Journals, as required by law, Now,
Therefore,

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. There is hereby appropriated as an emergency
and a deficiency appropriation the sum of Fifteen Thousand Dol-
lars (\$15,000.00) to the Secretary of State to defray the cost
of the publication of session laws passed by the 114th General
Assembly and the House and Senate Journals setting forth the
proceedings of the two Houses of said General Assembly as re-
quired by law.

Section 2. This Act shall be known as a supplementary
appropriation bill and the funds hereby appropriated shall be
paid out of the General Fund in the State Treasury not otherwise
appropriated.

Approved March 27, 1947.

CHAPTER 99

DELAWARE STATE EMPLOYEES' PENSION ACT

WITH REFERENCE TO NOTIFICATION OF PENSION BENEFITS AND CERTIFICATE

AN ACT TO AMEND CHAPTER 104, OF VOLUME 45, LAWS OF DELAWARE, 1935, RELATING TO THE "DELA- WARE STATE EMPLOYEES' PENSION ACT", WITH REFERENCE TO NOTIFICATION OF PENSION BENE- FITS AND CERTIFICATE.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 104, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by striking out and repealing all of Section 8 thereof and by inserting and enacting in lieu of the part so stricken out a new Section 8 as follows:

Section 8. **Notification; Certificate:**—When the employee is not entitled to the pension benefits of this Act, the State Treasurer shall so advise him or her by letter, but if the employee is entitled to the pension benefits of this Act, the State Treasurer shall prepare and give to the employee, through his or her Department or Agency, an appropriate Certificate signed by the Governor and attested by the State Treasurer, which Certificate may be in the following form:

CERTIFICATE OF SERVICE

AND

PENSION AWARD

This is to certify:

That....., an employee of the
(name)

.....has rendered loyal service
(name of Department or Agency)
to the State of Delaware and otherwise has fully qualified for
this Certificate and Award, which shall be sufficient evidence of

DELAWARE STATE EMPLOYEES' PENSION ACT

WITH REFERENCE TO NOTIFICATION OF PENSION BENEFITS
AND CERTIFICATE

.....right to receive benefits under the "Delaware
(his or her)
State Employees' Pension Act", being Chapter 104 of Volume 45,
Laws of Delaware, as amended; And,

That as further recognition, thanks and appreciation are
hereby extended to.....on behalf of the
State of Delaware for all.....years of faithful
(his or her)
service.

IN WITNESS WHEREOF,....., Governor
of the State of Delaware, has hereunto set his hand and caused
the Great Seal to be hereunto affixed, at Dover this.....day
of.....in the year of our Lord, One Thousand Nine Hun-
dred and.....

GREAT SEAL
ATTEST

.....
STATE TREASURER

Approved March 27, 1947.

CHAPTER 100

DELAWARE STATE EMPLOYEES' PENSION ACT
WITH REFERENCE TO CERTAIN PERSONS NOT COVERED
BY PREVIOUS ACT

AN ACT TO AMEND "AN ACT PROVIDING FOR THE PAYMENT OF PENSION BENEFITS TO CERTAIN STATE EMPLOYEES, FIXING AGES OF RETIREMENT, ESTABLISHING BENEFITS PAYABLE AND THE SOURCE OF PAYMENT THEREOF, PROVIDING FOR APPLICATIONS FOR PENSIONS AND THE PROCEDURE TO BE FOLLOWED WITH RESPECT THERETO, PROVIDING THAT PENSION BENEFITS SHALL BE FREE OF ATTACHMENT AND NONASSIGNABLE, AND ALSO PROVIDING FOR THE REDUCTION OF BENEFITS UNDER CERTAIN CONDITIONS", WITH REFERENCE TO THE STATUS OF THOSE WHO HAVE SERVED IN THE ARMED SERVICES, EMPLOYEES ON LEAVES OF ABSENCE, IN CERTAIN CASES, EMPLOYEES OF THE UNIVERSITY OF DELAWARE, AND CERTAIN EMPLOYEES WHO HAVE RECEIVED COMPENSATION ON AN HOURLY OR WEEKLY BASIS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 104 of Volume 45, Laws of Delaware, 1945, be and the same is hereby further amended by striking out all of Section 3 of said Chapter and inserting and enacting in lieu of the Section so stricken out a new Section 3 as follows:

Section 3. **Covered Employee Defined:**—An employee shall be considered in "covered employment" while the employee receives, or in the case of service prior to the enactment of this legislation, has received a regular salary or wage wholly or in part directly from the State Treasury, and/or from the Treasury through the following agencies within the State that are wholly or partly supported by the State and hereinafter referred to as subsidized agencies: State Board of Health, Old Age Welfare

DELAWARE STATE EMPLOYEES' PENSION ACT
WITH REFERENCE TO CERTAIN PERSONS NOT COVERED
BY PREVIOUS ACT

Commission and its sub-divisions, University of Delaware, School Districts which are a part of the State School System, and the Board of Public Education in Wilmington; provided that an employee of the Board of Public Education in Wilmington and the University of Delaware shall be considered in "covered employment" while the employee receives, or in case of service prior to the enactment of this legislation has received, a regular salary wholly or in part from or through the State Treasury, and (1) and/or from the Treasurer of the City of Wilmington or (2) and/or from the Treasurer of the University of Delaware; and provided further, where the employee is paid wholly or in part, from the sources herein mentioned other than the State Treasury, that a full and complete record of all such payments, shall be made monthly to the State Treasurer, which record shall be preserved by such official with all other records pertaining to the Delaware State Employees' Pension Act; and provided further, however, that an employee shall not be considered in covered employment (a) while employed in an office to which said employee had been elected by popular vote at a regular State election, or (b) while covered or potentially covered by the State Pension Act as a member of the State Police.

An employee who shall be in covered employment on the date of retirement and who shall have served in covered employment for at least fifteen years during the period that ends on the date of retirement and that includes no interruption from continuous covered employment except allowable interruptions aggregating not over five years shall be considered a "covered employee" within the meaning of this Act.

Allowable interruptions from continuous covered employment shall be interruptions arising from (a) leaves of absence granted to employees for illness, research, travel, training, or study, or for entering the military or naval service of the United States of America in time of war, or upon being called into the Armed Federal Service within two years prior to the 7th day of December, 1941, by operation of Federal Law, or (b) employ-

DELAWARE STATE EMPLOYEES' PENSION ACT
WITH REFERENCE TO CERTAIN PERSONS NOT COVERED
BY PREVIOUS ACT -

ment in an office to which the employee had been elected by popular vote at a regular State election, or (c) involuntary severance of employment which shall include a required leave of absence on account of maternity according to the rules and regulations of the State Board of Education or of any other office, agency or department of the State; but the employee shall not be considered in covered employment during any period of such interruption, except as hereinafter provided. The time spent by state employees in the Armed Services of the United States, or in the Auxiliaries of such Service, in time of war or when called into such Federal Service by operation of Federal Law, shall be credited to each such employee as time actually spent in covered employment in this State. No time spent in such service shall be considered any part of the allowable interruptions aggregating not over five (5) years as provided in Chapter 104 of Volume 45, Laws of Delaware.

This Section shall be construed to include those State employees who were regularly employed on a full time or annual basis, but whose compensation prior to the enactment of this legislation may have been computed and paid on an hourly or weekly basis. Proof of length, regularity and continuity of the service of such employees shall be determined by the records of the Department or Agency under which they have served.

Section 2. That Chapter 104 of Volume 45, Laws of Delaware, 1945, be further amended by striking out and repealing the third paragraph of Section 4 thereof and by inserting and enacting a new third paragraph in lieu of the part so stricken out, as follows:

The pension under this Act to employees of the Board of Public Education in Wilmington and the University of Delaware shall be in addition to any pension payable under the present contributory pension plan of the said Board of Public Education or the University of Delaware.

DELAWARE STATE EMPLOYEES' PENSION ACT
WITH REFERENCE TO CERTAIN PERSONS NOT COVERED
BY PREVIOUS ACT

Section 3. That Chapter 104 of Volume 45, Laws of Delaware, 1945, be further amended by adding a new paragraph at the end of Section 6 thereof, as follows:

The State Treasurer shall be the Chief Administrative Officer of this Act. As such, he is hereby empowered and directed to make such rules and regulations as may seem to him necessary and desirable to assist in carrying out its provisions. Such rules and regulations must have the approval of the Attorney General of the State, and shall be publicized in full at least once in each of the Counties of the State. After such approval and publication, such rules and regulations shall have the force and effect of law.

Approved March 27, 1947.

CHAPTER 101

DELAWARE STATE EMPLOYEES' PENSION ACT

PROVIDING PENALTY FOR FALSIFICATIONS AND REQUIRING
CERTIFICATES BY DEPARTMENT HEADS

AN ACT TO AMEND CHAPTER 104, VOLUME 45, LAWS OF DELAWARE, 1945, PROVIDING FOR A "DELAWARE STATE EMPLOYEES' PENSION ACT", BY PROVIDING A PENALTY FOR THE FALSIFICATION OF THE AGE OF A COVERED EMPLOYEE, AND REQUIRING CERTIFICATION BY THE HEAD OF A DEPARTMENT OR AGENCY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 104, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by adding at the end of Section 6 thereof, two new paragraphs as follows:

Before any covered employee is retired with pension benefits according to the provisions of this Act, the correctness of the facts set forth in the application of any covered employee for benefits shall be certified to by the head of the Department or Agency in which such employee is serving at the time of making his application.

Any covered employee who falsifies his age either in an application to secure pension benefits or to continue in his position beyond the age limit specified for mandatory retirement shall forfeit all his rights and benefits under this Act.

Approved March 27, 1947.

CHAPTER 102

STATE BOARD OF AGRICULTURE

AUTHORIZING EXPENDITURE OF PREVIOUS APPROPRIATION FOR
PROVIDING HOUSING FOR DIAGNOSTIC AND CONTROL WORK

AN ACT AUTHORIZING THE STATE BOARD OF AGRICULTURE TO EXPEND MONEY APPROPRIATED TO SAID BOARD BY CHAPER 100, VOLUME 45, LAWS OF DELAWARE, 1945, FOR THE PURPOSE OF PROVIDING HOUSING IN WHICH TO CONDUCT DIAGNOSTIC AND CONTROL WORK WITH A SPECIAL REFERENCE TO DISEASES OF POULTRY AND DAIRY CATTLE, AND OTHER FUNCTIONS OF SAID BOARD.

WHEREAS, by the provisions of Chapter 100, Volume 45, Laws of Delaware, 1945, an appropriation was made to the State Board of Agriculture to erect an addition to its present building in the City of Dover, and to equip said additional building and renovate the present building, for the purpose of providing additional space in which to conduct the diagnostic and control work of the said Board; and

WHEREAS, bids received for the erection of the proposed addition and the desired renovation greatly exceeded the amount so appropriated for the purposes mentioned; and

WHEREAS the diagnostic and control work of the State Board of Agriculture is of great importance and present facilities are totally inadequate to properly conduct said work, and additional space is vitally needed in order that the work of the Board may be properly conducted; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Board of Agriculture is authorized to expend out of the appropriation to said Board made by Chapter 100 of Volume 45, Laws of Delaware, as aforesaid, such sum or sums as may be necessary to erect, purchase or lease land and/or a building or buildings in which can be carried on the

STATE BOARD OF AGRICULTURE

AUTHORIZING EXPENDITURE OF PREVIOUS APPROPRIATION FOR PROVIDING HOUSING FOR DIAGNOSTIC AND CONTROL WORK

diagnostic and control work of the said Board with special reference to diseases of poultry and dairy cattle, and other functions of the State Board of Agriculture.

Such appropriation or so much thereof as may be necessary may also be used to renovate and equip any additional building secured for the purposes aforesaid including plumbing, heating and other facilities. Such funds as may be necessary may also be used to make changes in the existing building of the said Board as may be necessary to increase its usefulness for the work of the said Board. Such changes shall extend to the work of alteration, renovation, equipment, plumbing apparatus and such other expenses as may be necessary.

Section 2. Any proposed expenditures of the State Board of Agriculture under the provisions of this Act, either for the purchase of land and/or a building or buildings, equipment, apparatus and/or supplies, and the leasing of same, and any and all other expenditures shall be subject to the approval of the Permanent Budget Commission of the State.

The amounts made available to the State Board of Agriculture under the provisions of this Act shall be paid out by the State Treasurer upon warrant or warrants duly approved by the said Board.

Section 3. No part of the appropriation made by Chapter 100 of Volume 45, Laws of Delaware, 1945, and hereby made available to the State Board of Agriculture for the purposes herein stated shall revert to the General Fund of the State Treasury on the first day of July, A. D., 1947, but the same shall remain available to said Board until the purposes of said Chapter 100 and this Act have been fully carried out and completed.

Approved March 27, 1947.

CHAPTER 103**REGARDING PRESERVATION OF DEEDS OF STATE OWNED PROPERTY****AN ACT TO AMEND CHAPTER 36 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, BY ADDING TWO NEW SECTIONS REGARDING THE PRESERVATION OF DEEDS OF STATE-OWNED PROPERTY AND OTHER PUBLIC RECORDS.**

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 36 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by adding to 1086. Sec. 3. thereof a new paragraph to be known as 1086A. Sec. 3A., as follows:

1086A. Sec. 3A. All State departments, commissions, agencies, institutions and special school districts are required, after the approval of this Act, to deposit with the Public Archives Commission for preservation and safekeeping the original deeds to all State-owned property. The State Archivist shall give a receipt for each deed received in his custody and may at his discretion exempt from the provisions of this Act such State Highway Department deeds which are in constant use for administrative purposes.

Section 2. That Chapter 36 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by adding to 1086. Sec. 3. thereof a new paragraph to be known as 1086B. Sec. 3B., as follows:

1086B. Sec. 3B. To provide for the better preservation of public records, all public officials of the State or any political subdivision thereof, are required to consult with the State Archivist regarding proper methods and materials before undertaking the repair or restoration of any public records, documents or papers whatsoever.

REGARDING PRESERVATION OF DEEDS OF STATE OWNED PROPERTY

Failure to comply with the provisions of 1086. Sec. 3., 1086A. Sec. 3A., and/or 1086B. Sec. 3B., shall be presumptive evidence of guilt, and any public official upon conviction for such failure shall be guilty of a misdemeanor, and shall be fined a sum not exceeding one hundred dollars at the discretion of the Court.

Section 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 27, 1947.

CHAPTER 104

NEWARK

CHANGING PROVISION REGARDING PUBLICATION OF NOTICE OF SALE

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT AUTHORIZING THE CONSTRUCTION OF SEWERS IN THE TOWN OF NEWARK, DELAWARE", BEING CHAPTER 118, VOLUME 35, LAWS OF DELAWARE, BY CHANGING THE PROVISION REGARDING PUBLICATION OF NOTICE OF SALE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring therein):

Section 1. That Section 9, Chapter 118, Volume 35, Laws of Delaware, be and the same is hereby amended by striking out and repealing all of Section 9 of said Chapter, and substituting and enacting in lieu thereof a new Section to be known as Section 9, as follows:

Section 9. In all cases where the property owner does not elect to pay in installments, or having elected to pay in installments, fails to pay the first installment within thirty days after the date of certifying the assessment to the Treasurer of "The Council of Newark", as aforesaid, he, she or it shall be held to have waived the right to pay in installments, and the entire assessment, together with accrued interest thereon from the date of certifying the same to the Treasurer of "The Council of Newark", as aforesaid, shall immediately thereafter become due and payable. If the property owner has not elected to pay in installments, and fails to pay his, her or its several assessments within thirty days after the date of certifying such assessments to "The Council of Newark", as aforesaid, or having elected to pay in installments fails to pay the first installment within thirty days after the date of certifying the same to the Treasurer of the Council of "The Council of Newark", as aforesaid, or makes default in the payment of any annual installment on the date when the same is due, or the accrued interest thereon, the whole of such assessment shall immediately become due and payable, and it shall be the duty of the Mayor of the Town of Newark, to issue his warrant, directed to the Council of "The Council of

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Newark", commanding it to levy the same, with the interest thereon accrued, and all costs thereon, upon the grounds, or the grounds and buildings of such owner abutting on such street, highway, lane or alley, as aforesaid, which such ground, or ground and buildings, or any part thereof, shall be sold by the said "The Council of Newark", at public auction, after ten days' notice in two newspapers published in New Castle County and State of Delaware, one of which newspapers shall be published in the Town of Newark aforesaid, unless no newspaper is published there, in which case the notice may be contained in any two newspapers published in New Castle County aforesaid, and a deed from the Council of "The Council of Newark" shall convey to the purchaser of such ground, or grounds and buildings, as full and complete a title to said premises, in fee simple or otherwise, as if the same were executed by the said owner thereof; and it shall be the duty of the said Council of "The Council of Newark", out of the purchase money of said ground, or grounds and buildings, as aforesaid, to pay the costs arising from said process and sale to the parties entitled thereto respectively, and to retain the amount of such assessment, with accrued interest thereon, as aforesaid; the residue of said purchase money, if any, shall be deposited by the said "The Council of Newark" in some Bank or Trust Company in the Town of Newark, Delaware, to the credit of the owner or owners of the properties so sold, or the said Council of "The Council of Newark" may, at its option, proceed forthwith to collect such assessment or assessments, and the accrued interest thereon, in the manner now provided for the collection of delinquent taxes levied by the Council of "The Council of Newark", for town purposes, under an Act entitled, "An Act to Reincorporate the Town of Newark", being Chapter 175, Volume 19, Laws of Delaware, and all Acts amendatory thereof and supplemental thereto, and under an Act entitled, "An Act to Provide for the Collection of Taxes levied and assessed on real property and persons within the Town of Newark, Delaware", being Chapter 419, Volume 22, Laws of Delaware, or any other Act now or hereafter enacted providing for the collection of taxes in the said Town of Newark.

Approved March 27, 1947.

CHAPTER 105

AUTHORIZING THE PURCHASE OF FORT DUPONT FROM THE UNITED STATES AND AUTHORIZING THE GOVERNOR TO ACCEPT CONVEYANCES ON BEHALF OF THE STATE

AN ACT TO AUTHORIZE THE PURCHASE FROM THE UNITED STATES OF AMERICA OF FORT DU PONT TOGETHER WITH THE IMPROVEMENTS THEREON ERECTED AND EQUIPMENT AND SUPPLIES PRESENTLY THEREON LOCATED AND USED IN CONNECTION THEREWITH AND TO AUTHORIZE THE GOVERNOR TO ACCEPT ON BEHALF OF THE STATE OF DELAWARE CONVEYANCES OF SAID PROPERTY UNDER AND SUBJECT TO CERTAIN TERMS AND CONDITIONS RELATING TO THE USE THEREOF AS WELL AS THE SUPERVISION AND CONTROL THEREOF AND FURTHER RATIFYING AND CONFIRMING ALL ACTION OF THE GOVERNOR HERETOFORE TAKEN IN RESPECT TO THE PREMISES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Governor be and hereby is authorized, directed and empowered to purchase on behalf of The State of Delaware from the United States of America all that certain lot, piece or parcel of land and premises known as Fort DuPont, situate and being in Red Lion Hundred, New Castle County and State of Delaware, more particularly bounded and described as follows, to-wit:

Beginning at a stake upon the shore of the Delaware River, at low-water mark, in the line separating lands conveyed to the United States by deeds of Clement Reeves and wife, dated September 12, 1871, and Isaac Reeves et al., dated December 8, 1904, from land of estate of Arthur Colburn, and running by said line South 48 degrees 51 minutes 12 seconds West, 1,920 feet, more or less, to a monument in said line, and still by said line 1,820.3 feet to a monument; thence North 46 degrees 43 minutes 48 seconds West 1,569.5 feet to a monument; thence

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South 51 degrees 42 minutes 45 seconds West 125.42 feet to a monument in middle of Port Penn Road; thence North 32 degrees 06 minutes 51 seconds West 265.62 feet to a monument in middle of Port Penn Road; thence North 38 degrees 58 minutes 54 seconds West 132 feet to a monument in middle of Port Penn Road; thence North 50 degrees 55 minutes 46 seconds East 39.59 feet to a monument; thence North 46 degrees 43 minutes 48 seconds West 194.35 feet to a monument in the easterly line of Port Penn Road; thence North 42 degrees 30 minutes 23 seconds West 240.1 feet, along easterly line of Port Penn Road, to a monument at corner of land of John Wilson and land conveyed to the United States by deed of Harry C. Clark and wife, dated July 24, 1899; thence North 37 degrees 36 minutes 49 seconds East 110.33 feet, by said land, to a monument; thence North 27 degrees 23 minutes 30 seconds West 329 feet, along land of John Wilson, Harry C. Clark, Estate of George Young, and Union A. M. E. Church, to a monument; thence South 44 degrees 01 minute 34 seconds West 105.5 feet to a monument in the easterly line of Port Penn Road; thence North 27 degrees 23 minutes 30 seconds West 299.4 feet, along easterly line of Port Penn Road, to a corner of land of Harry C. Clark; thence North 40 degrees 31 minutes 05 seconds East 161.04 feet, by said land, to a monument; thence North 49 degrees 42 minutes 30 seconds West 85.8 feet to a monument; thence South 38 degrees 14 minutes 51 seconds West 128.04 feet to a monument in intersection of easterly line of Port Penn Road with east line of East Canal Street; thence North 10 degrees 59 minutes 05 seconds East 1,741.75 feet, along east line of East Canal Street, to a monument at corner of land of Chesapeake and Delaware Canal Company; thence South 49 degrees 28 minutes 55 seconds East 95.16 feet, by said land, to a monument; thence North 40 degrees 31 minutes 05 seconds East 58.33 feet to an old monument at walnut tree; thence North 46 degrees 10 minutes 05 seconds East 1,330 feet to a monument on river bank, and 454 feet, more or less, still by said line to low-water mark of Delaware River; and thence along the low-water line of said river, to the point of beginning, containing 321.6 acres, more or less.

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Together with all buildings, structures, utilities and improvements thereon and the equipment, supplies and other personal property located on or in any improvement erected thereon, excepting only the Chapel building which is reserved to the United States of America.

Section 2. The purchase of said property, buildings, structures, utilities, improvements, equipment, supplies and other personal property provided for in Section 1 hereof shall be purchased, held, used, supervised and controlled in accordance with the provisions of a certain contract entered into the fourteenth day of January, A. D. 1947 between the Governor of The State of Delaware and the United States of America acting by and through the Federal Works Agency which said contract remains of record in Executive Record No. 19—1945 Delaware in the Governor's Office and said contract and all the terms and conditions thereof are incorporated herein by reference thereto with the same force and effect as if fully set forth herein.

Section 3. The Governor is hereby authorized, directed and empowered to accept on behalf of The State of Delaware deeds or other instruments conveying and transferring the property described in Section 1 hereof to The State of Delaware in accordance with the terms and conditions of the contract identified under Section 2 hereof and each and every act of the Governor of The State of Delaware in accepting said conveyances and/or negotiating for the purchase of said property whether heretofore or hereafter performed is hereby approved, authorized, ratified and confirmed.

Approved March 28, 1947.

CHAPTER 106

AUTHORIZING PROTHONOTARY OF SUSSEX COUNTY TO
MAKE INDICES OF JUDGMENTS**AN ACT TO AUTHORIZE THE PROTHONOTARY OF THE
SUPERIOR COURT OF THE STATE OF DELAWARE,
IN AND FOR SUSSEX COUNTY, TO MAKE INDICES
OF JUDGMENTS IN HIS OFFICE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the Prothonotary of the Superior Court of the State of Delaware, in and for Sussex County, be and he is hereby authorized and directed to make or cause to be made complete indices, both direct and reverse, of all the unsatisfied judgments entered in said Superior Court from the April Term, A. D. 1862, to the present time. In making said indices he shall use the Campbell system of indexing, and the record of said judgments shall be examined to ascertain the satisfactions of all judgments. The Prothonotary is authorized to procure such books as shall be necessary and proper for that purpose, the costs of which shall be paid by the Levy Court of Sussex County.

Section 2. That the Levy Court of Sussex County be and it is hereby authorized and directed to appoint, from among the members of the Sussex County bar, two commissioners, who shall examine said indices after the said Prothonotary shall have completed the same, and if they approve the execution and correctness of said indices, they shall certify their approval on each record thereof, and upon said certification the said indices shall become and be the indices to all the unsatisfied judgments of record in said Superior Court from the year A. D. 1862, to the present time.

Section 3. That the said Prothonotary shall receive for his services in making said indices a just and reasonable compensation to be determined and paid by the Levy Court of Sussex County upon having filed with it the certificate of said commis-

AUTHORIZING PROTHONOTARY OF SUSSEX COUNTY TO
MAKE INDICES OF JUDGMENTS

sioners of their approval of said indices. The Prothonotary is also authorized to employ necessary clerical assistance at a compensation to be determined and paid by the Levy Court of Sussex County. The said commissioners shall also receive for their services a just and reasonable compensation to be determined and paid by the Levy Court of Sussex County.

Approved March 28, 1947.

CHAPTER 107

MOTOR VEHICLES

PROVIDING FOR APPEAL FROM CONVICTION BY ALDERMAN
OR MAYOR

**AN ACT TO PROVIDE FOR APPEAL FROM CONVICTION
BY AN ALDERMAN OR A MAYOR OF ANY INCORPOR-
ATED TOWN OR CITY IN THE STATE OF DELAWARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (two-thirds
of all the members elected to each House concurring therein):*

Section 1. Any person convicted before any Alderman or Mayor of any incorporated city or town in the State of Delaware for the violation of any city or town ordinance shall have the right to an appeal from such conviction to the Court of General Sessions of the County in which he shall have been so convicted, upon giving bond to the State with surety satisfactory to the Alderman or Mayor before whom such person was convicted, binding said person taking the appeal to appear before said Court of General Sessions. Notice of such an appeal shall be given to such Alderman or Mayor within five (5) days from the time of conviction, counting the day of conviction as one, and said bond with surety shall be filed within the aforesaid five (5) days. Such appeal shall be prosecuted and the proceedings therein shall be had as in an appeal from a conviction before a Justice of the Peace in the case of a violation of the Laws relating to the operation of motor vehicles.

Approved March 28, 1947.

CHAPTER 108

PROVIDING FOR TRANSFER OF PROPERTY OF MIDDLETOWN
ACADEMY TO ST. GEORGES HUNDRED HISTORICAL SOCIETY

**AN ACT TO TRANSFER PROPERTY, ASSETS AND CLAIMS
DERIVED BY THE STATE OF DELAWARE FROM THE
TRUSTEES OF THE MIDDLETOWN ACADEMY TO THE
ST. GEORGES HUNDRED HISTORICAL SOCIETY.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That all of the property, assets, claims, demands or cause or causes of action of any nature whatsoever, which the State of Delaware has received, now has, or might receive through or by virtue of, or in connection with the dissolution of The Trustees Of The Middletown Academy, a charitable corporation of the State of Delaware, or through said corporation, or any court proceedings in connection therewith, be and the same are hereby set over, transferred and assigned to the St. Georges Hundred Historical Society, a charitable corporation of the State of Delaware, its successors and assigns. The said St. Georges Hundred Historical Society is hereby appointed its true and lawful attorney irrevocable, with full power of substitution and revocation for the State of Delaware in its name or otherwise, but for the full use and benefit of the St. Georges Hundred Historical Society at its own cost and expense to ask, demand, sue for, collect, receive, appoint and to take any other action of whatsoever nature with respect to the said property, assets, claims, demands or cause or causes of action of any nature whatsoever, or any part thereof.

Section 2. The Governor and Secretary of the State of Delaware are hereby authorized and directed to execute in favor of the St. Georges Hundred Historical Society, a corporation of the State of Delaware, any and all documents necessary to set over, assign and transfer the property and claims as set forth in Section 1 of this Act.

Approved March 28, 1947.

CHAPTER 109

UNEMPLOYMENT COMPENSATION COMMISSION

AUTHORIZING PURCHASE OF PROPERTY FOR USE OF COMMISSION

AN ACT AUTHORIZING THE ACQUISITION, PURCHASE, OR ERECTION OF PROPERTY AND/OR BUILDINGS BY THE UNEMPLOYMENT COMPENSATION COMMISSION ON BEHALF OF THE STATE OF DELAWARE WITHOUT ANY OBLIGATION ON BEHALF OF THE STATE OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The Unemployment Compensation Commission is hereby authorized on behalf of the State of Delaware to acquire, purchase, or erect such building or buildings as may be deemed necessary for the proper conduct of the business of the Commission.

Section 2. In the exercise of such power, said Commission is hereby authorized to execute all necessary contracts for the purchase or erection of such building or buildings, payment therefor to be made by the pledge of such funds as may be provided by the United States of America, or any agency thereof, including the Federal Security Agency and the Department of Labor, and all moneys received by the State of Delaware from any other source for the express purpose of meeting such contract payments. Provided, however, prior to the execution by the Commission of any contract or pledge under the provisions of this Section, written approval thereof shall be obtained from the Governor of the State of Delaware and shall provide on the face thereof the following:

"No obligation hereunder shall be or become a charge of the State of Delaware nor shall the same become a lien on or secured by any property, real, personal or mixed, of the State of Delaware or the Unemployment Compensation Commission but all such obligations shall be payable solely from funds provided

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expressly for such purpose by the United States of America or any agency thereof including the Federal Security Agency and the Department of Labor”.

Section 3. Upon final payment by the Commission for such building or buildings as may be hereafter purchased or constructed under the provisions of this Section, title thereto shall be vested in the State of Delaware, provided, however, that the Unemployment Compensation Commission or its successor shall have a right of perpetual use of such property without the payment of any rent to the State of Delaware other than that required for normal maintenance.

Approved March 28, 1947.

CHAPTER 110

STATE BOARD OF ACCOUNTANCY

CHANGING NUMBER OF MEMBERS ON BOARD AND PROVIDING
FOR EXAMINATION FEES

AN ACT TO AMEND CHAPTER 37 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE STATE BOARD OF ACCOUNTANCY BY PROVIDING THAT THE STATE BOARD OF ACCOUNTANCY SHALL CONSIST OF FIVE MEMBERS AND BY PROVIDING FOR FEES TO BE PAID FOR EXAMINATIONS AND CERTIFICATE AND FOR RE-EXAMINATIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1091. Sec. 1. of Chapter 37 of the Revised Code of Delaware, 1935, be amended by striking out all of said Section and inserting in lieu thereof a new 1091. Sec. 1. to read as follows:

1091. Sec. 1. **State Board of Accountancy; Appointment; Qualification; Terms of Office:**—A State Board of Accountancy is established consisting of five members to be appointed by the Governor, four of whom shall be Certified Public Accountants and the fifth member a practicing attorney at law in Delaware. The members now serving as the three members of the State Board of Accountancy shall continue to serve until the expiration of their respective terms of office, namely, Joseph L. Pyle shall continue to serve until the expiration of his term of office on July 12, 1949; Desmond A. Lyons shall continue to serve until the expiration of his term of office on July 12, 1949 and Caleb M. Wright shall continue to serve until the expiration of his term of office on July 12, 1947. The Governor shall appoint two additional members to the said State Board of Accountancy within thirty days after the effective date of this Act. All members appointed to the said State Board of Accountancy shall hold office for the term of three years and until their successors are appointed and qualified.

STATE BOARD OF ACCOUNTANCY**CHANGING NUMBER OF MEMBERS ON BOARD AND PROVIDING
FOR EXAMINATION FEES**

Section 2. That 1096. Sec. 6. of Chapter 37 of the Revised Code of Delaware, 1935, be amended by striking out and repealing the first paragraph of said Section and inserting in lieu thereof a new first paragraph as follows:

The State Board of Accountancy shall charge for the examination and certificate provided for in this Chapter a fee of Twenty-five Dollars. This fee shall be payable by the applicant at the time of making his initial application. Said Board shall charge a like fee of Twenty-five Dollars for each re-examination of any applicant; provided, however, in the event the applicant shall pass all subjects except two, he shall be allowed to apply for a re-examination on said two subjects at either or both of the next two succeeding examinations conducted by said Board and he shall be charged a fee of Ten Dollars for each such re-examination.

Section 3. This Act shall become effective upon the approval thereof by the Governor.

Approved March 28, 1947.

CHAPTER 111

PROVIDING FOR PROTECTION AND PROMOTION OF BEE KEEPING

AN ACT TO PROVIDE FOR THE PROTECTION AND PROMOTION OF BEE-KEEPING IN DELAWARE; TO PROVIDE FOR THE APPOINTMENT OF A STATE APIARIST AND BEE INSPECTORS; TO DEFINE THE POWERS AND DUTIES OF THE STATE BOARD OF AGRICULTURE, THE STATE APIARIST AND BEE INSPECTORS UNDER THE PROVISIONS OF THIS ACT; AND TO PROVIDE PENALTIES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. Definitions:—

A. The term "apiary" shall mean any place where one or more colonies of honeybees are kept.

B. The term "bees" shall mean any stage of development of the common honeybee, *Apis Mellifera*.

C. The term "bee diseases" shall mean American or European Foul Brood or any other infectious or contagious disease pronounced detrimental to bee-keeping by the State Board of Agriculture or the State Apiarist.

D. The term "colony" shall mean the hive and its bees, comb, and equipment.

E. The term "hive" shall mean frame hive, box hive, barrel, log gum, skep, or any other container, or any part thereof, which may be used as a domicile for bees.

F. The term "queen apiary" shall mean any apiary in which queen bees are reared or kept for gift or sale.

G. The term "bee equipment" shall mean hives, supers, frames, sections, wax foundation, wax, comb, and honey.

H. The term "appliances" shall mean any apparatus, tools, machine, or other device used in the handling of bees, honey, wax, and hives. It shall thus include smokers, veils, gloves, hive

PROVIDING FOR PROTECTION AND PROMOTION OF BEE KEEPING

tools, extractors, as well as any container of bees, honey, or wax which may be used in an apiary or in transporting bees and their products.

I. The term "persons" shall mean individuals, associations, partnerships, and corporations.

J. Words in this Act shall be construed to import either the singular or the plural, as the case may be.

Section 2. Appointment of State Apiarist and Inspectors; Duties of State Board of Agriculture, State Apiarist, and Inspectors:—The State Board of Agriculture is hereby authorized and directed to appoint a competent State Apiarist, who shall have adequate experience in practical bee-keeping, and who shall work under the supervision of the State Board of Agriculture. The duties of the State Apiarist shall be to promote the science of bee-keeping by educational and other means, and to inspect or cause to be inspected apiaries, bees, and bee-keeping equipment and appliances within the State of Delaware. The State Apiarist is authorized to appoint one or more competent assistants, if needed, with or without pay, who shall be known as State bee inspectors. In the appointment of such inspectors, preference shall be given, insofar as practicable, to such individuals as have the recommendation of the local bee-keepers or an association of bee-keepers. Upon the written request of one or more bee-keepers in any county of the State, the State Apiarist or the inspector shall within a reasonable time examine the bees in that locality suspected of being affected with foul brood or any other bee disease, and if such bees are found to be affected, he shall cause suitable approved measures to be taken for the eradication and control of such disease. In addition, the State Apiarist or the inspectors shall at least once each year, during the summer, examine all bees in all known apiaries in the State of Delaware, and if any are found to be affected by a disease, he shall cause suitable approved steps to be taken for eradication and control of the disease.

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Section 3. Right of Entry Into Private or Public Premises for Purposes of Inspection; Quarantine and Destruction of Diseased Bees, Equipment, and Appliances; Right of Owner to Appeal from Orders:—For the enforcement of this Act, the State Board of Agriculture, the State Apiarist, and the State bee inspectors shall have authority to enter upon any public or private premises, and shall have access, ingress, and egress to and from all apiaries or places where bees, bee equipment and appliances are kept, for the purpose of ascertaining whether foul brood or other bee disease exists therein; and if any disease exists in such apiaries it shall be the duty of the State Apiarist or the bee inspector, subject to approval of the State Board of Agriculture, to declare such Apiaries to be each the center of a quarantine zone in the form of a circle three miles in radius, and shall prescribe suitable measures to be carried out for eradication and control of the disease. Whenever the owners of such apiaries fail or refuse to take such steps as may be prescribed by the State Apiarist or the bee inspector to eradicate any disease from such apiaries, the State Apiarist may cause the diseased bees, together with any infected bee equipment or appliances, to be destroyed in such manner as he may deem best, after first giving to the owner fifteen days' notice thereof in writing and an opportunity to be heard, and shall take such further steps as he may deem necessary to prevent the spread of the disease. Any such owner may, within ten days of receipt of such notice, appeal from the decision of the State Apiarist to the Superior Court of the State of Delaware for the County in which such apiary, bee equipment or appliances are located, by filing therein a petition setting forth the facts and making the State Apiarist a party defendant. Such appeals shall be heard and determined by the Courts as expeditiously as possible.

Section 4. Registration of Bees with State Apiarist:—It shall be the duty of all persons keeping bees in this State to notify the State Apiarist in writing, on or before June 30, 1947, and thereafter within ten days of the time the bees are acquired, of the number and location of colonies they own, or rent, or which they may keep for anyone else, whether the bees are located on their own or someone else's property.

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Section 5. Installation of Movable-Frame Hives; Precautions Against Spread of Disease by Exposure of Diseased Colonies, Equipment, or Appliances to Other Bees; Notification of State Apiarist of Existence of Diseased Bees in Any Apiary:—

It shall be the duty of all persons keeping bees in this State to provide, prior to June 1, 1950, movable frames in all hives used by them, and to cause the bees in such hives to construct all combs in such frames so that such frames may be removed from the hive without injuring other combs in the hive, and so that all the surface of the combs may be examined visually.

It shall be unlawful for any person in this State to expose any diseased colony of bees, or any infected hives, equipment, or appliances so that flying bees may have access to them.

It shall be the duty of any person keeping bees in this State to notify the State Apiarist immediately of the existence or suspected existence of any bee disease in his own or any other apiary in the State.

Section 6. False Information or Interference with State Apiarist or Inspectors in Discharge of Their Duties:—It shall be unlawful for any person to give false information in any matter pertaining to this Act, or to hinder or resist the State Apiarist or the inspector in the discharge of his duties.

Section 7. Precautions of Inspectors Against Spread of Disease:—After inspection of infected bees, equipment, or appliances, the State Apiarist or inspector shall, before leaving the premises, take such measures as shall prevent the spread of the disease by infected material adhering to his person or clothing or to any equipment or appliances used by him which may have come in contact with infected material.

Section 8. Regulations Pertaining to Movement of Bees, Equipment and Appliances from any Apiary Known to Have a Bee Disease:—It shall be unlawful for any person to sell, barter, or give away, accept, receive, or transport any bees, equipment, or appliances from an apiary known to be affected with a bee disease, without the consent in writing of the State Apiarist, until

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all colonies in said apiary have been inspected by the State Apiarist or the bee inspector and the disease found, in his judgment, to be eradicated.

Section 9. Requirements Respecting Importation of Bees or Used Bee Equipment or Appliances:—No colony, nucleus, or combless package of bees and no used bee equipment or appliances coming into this State from a State or country having apiary inspection service shall be accepted by any person or common carrier for transportation into the State of Delaware unless accompanied by a valid certificate of inspection from the proper official of the place of origin, stating that the bees, equipment, or appliances are free from disease.

Any colony, nucleus, or combless package of bees, or any used bee equipment, or appliances coming into this State from a State or country having no apiary inspection service shall be immediately reported to the State Apiarist by the consignee and by the person or common carrier delivering them in the State of Delaware, giving the name and address of the consignee and a description of the shipment. The State Apiarist or the bee inspector shall then inspect the shipment at such time as shall be expedient. If he finds any bee disease in such shipment, he shall take such measures to control and eradicate it as he shall deem expedient within the provision of this Act.

Section 10. Regulations Relative to Raising Queen Bees:—Every person rearing queen bees in the State of Delaware for gift or sale shall have his or her queen-rearing apiary inspected at least once each summer by the State Apiarist or inspector and on the discovery of any bee disease, such person shall immediately cease to ship bees from such diseased apiary until the State Apiarist shall declare said apiary free of disease and issue a certificate to that effect.

Section 11. Support:—The sum of Two Thousand Dollars (\$2,000.00) is hereby appropriated annually from the General Fund, not otherwise appropriated, for the purpose of enabling the State Board of Agriculture to carry out the provisions of this Act.

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This Act shall be known as a Supplementary Appropriation Bill and the funds hereby appropriated shall be paid out of the General Fund in the State Treasury not otherwise appropriated.

Section 12. Penalties:—Any person knowingly violating any of the provisions of this Act or any order or quarantine regulations issued by authority of this Act, or interfering in any way with the duly appointed representatives of the State Board of Agriculture in the discharge of the duties herein specified shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of Ten Dollars (\$10.00) for the first offense and by a fine of Fifty Dollars (\$50.00) for any subsequent offense.

Approved March 28, 1947.

CHAPTER 112

STATE FORESTRY DEPARTMENT

PROVIDING FOR CONCURRENT JURISDICTION OF JUSTICES OF THE
PEACE AND COURT OF COMMON PLEAS TO HEAR,
TRY AND DETERMINE OFFENSES

**AN ACT TO AMEND CHAPTER 23 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
STATE FORESTRY DEPARTMENT BY PROVIDING FOR
CONCURRENT JURISDICTION OF THE JUSTICES OF
THE PEACE AND COURTS OF COMMON PLEAS TO
HEAR, TRY AND DETERMINE OFFENSES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (two-thirds of
each House thereof concurring therein):*

Section 1. That Chapter 23 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing 721. Sec. 13 thereof and inserting in lieu thereof a new section to be known as 721. Sec. 13 thereof as follows:

721. Sec. 13. Jurisdiction of Justices of the Peace and Courts of Common Pleas; Fines, to Whom Paid:—Wherever the Court of Jurisdiction is not specifically named in this Chapter, the Justices of the Peace and the Courts of Common Pleas in this State shall, within their respective counties, have plenary concurrent jurisdiction to hear, try and determine all charges and offenses committed in violation of the provisions of this Chapter.

Approved April 2, 1947.

CHAPTER 113

BOARD OF PILOT COMMISSIONERS

INCREASING THE ALLOWANCE TO A PILOT FOR DETENTION

AN ACT TO AMEND CHAPTER 35 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED, "BOARD OF PILOT COMMISSIONERS", BY INCREASING THE ALLOWANCE TO A PILOT FOR DETENTION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 35 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out of 1069. Sec. 5 thereof the word "three" at the only place the word appears in said section at about line thirty-three thereof and by enacting and inserting in lieu of the word "three" the word "fifteen".

Section 2. That Chapter 35 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out of 1077. Sec. 13. thereof the word "three" where it appears in next to the last line of said section and by enacting and inserting in lieu of the said word "three" the word "fifteen".

Approved April 2, 1947.

CHAPTER 114

LIMITATION OF PERSONAL ACTIONS

AN ACT TO AMEND CHAPTER 146 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO LIMITATION OF PERSONAL ACTIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 146 of the Revised Code of Delaware, 1935, as amended, be and it hereby is further amended by changing the heading of 5133. Sec. 10. thereof from the words "Action for Personal Injuries:" to the words and abbreviation—**Actions for Personal Injuries; Wages &c:**—and by adding at the end of said 5133. Sec. 10. a new paragraph reading as follows:

No action for recovery upon a claim for wages, salary, or overtime for work, labor or personal services performed, or for damages (actual, compensatory or punitive, liquidated or otherwise), or for interest or penalties resulting from the failure to pay any such claim, or for any other benefits arising from such work, labor or personal services performed or in connection with any such action, shall be brought after the expiration of one year from the accruing of the cause of action on which such action is based. This paragraph shall apply to all such actions, whether the causes of action on which such actions are based shall have accrued prior, or may accrue subsequent, to the date when this paragraph shall have become effective, provided, however, that any such action based on a cause of action which had accrued prior to the effective date of this paragraph and which at the time of the commencement of the action on such cause of action would not have been barred by any statute of limitations applicable thereto but for the enactment of this paragraph, may be maintained, if commenced within six months after the effective date of this paragraph; and provided, further, that this paragraph shall not affect suits pending at the time it became law. All acts or parts of acts in conflict with this paragraph are hereby

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repealed to the extent to which they are so in conflict but only to such extent. If any provision or any portion of any provision of this paragraph or the application thereof to any person or any circumstance is held invalid, the remainder of this paragraph and the application of such provision or portion thereof to any other person or circumstance shall not be affected thereby.

Approved April 2, 1947.

CHAPTER 115

LIMITATION OF PERSONAL ACTIONS

AN ACT TO AMEND CHAPTER 146 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO LIMITATION OF PERSONAL ACTIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 146 of the Revised Code of Delaware, 1935, as amended, be and it hereby is further amended by striking out Sec. 6 thereof and inserting in lieu thereof a new Sec. 6 reading as follows:

Sec. 6. Enumerated Personal Actions; Subject to Savings:
—No action to recover damages for trespass, no action to regain possession of personal chattels, no action to recover damages for the detention of personal chattels, no action to recover a debt not evidenced by a record or by an instrument under seal, no action based on a detailed statement of the mutual demands in the nature of debit and credit between parties arising out of contractual or fiduciary relations, no action based on a promise, no action based on a statute, and no action to recover damages caused by an injury unaccompanied with force or resulting indirectly from the act of the defendant shall be brought after the expiration of three years from the accruing of the cause of such action; subject, however, to the provisions of the next following four sections.

Section 2. That Chapter 146 of the Revised Code of Delaware, 1935, as amended, be and it hereby is further amended by striking out Sec. 11 thereof and inserting in lieu thereof a new Sec. 11 reading as follows:

Sec. 11. Action for Waste:—No action to recover damages for waste shall be brought after the expiration of three years from the committing of the waste.

Approved April 2, 1947.

CHAPTER 116

SETTLEMENT OF PERSONAL ESTATES, REGISTER OF WILLS

**AN ACT TO AMEND CHAPTER 98 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
SETTLEMENT OF PERSONAL ESTATES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 98 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by striking out and repealing the following from 3813. Sec. 15. thereof:

"If letters are granted to a married woman, or to husband and wife, the wife and her husband shall join and be principals in the bond, and it shall bind notwithstanding her coverture."

Approved April 2, 1947.

CHAPTER 117

ELECTIONS

CHANGE OF VOTING PLACE

**AN ACT TO AMEND CHAPTER 60 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
THE PLACE OF VOTING IN THE FOURTH REPRESENTATIVE
DISTRICT IN KENT COUNTY.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 60 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing the second paragraph designated as K 7 of Section 17 thereof and inserting in lieu thereof the following:

All persons entitled to vote in said Election District shall vote at Pearson's Corner in a suitable place to be designated by the Department of Elections.

Approved April 2, 1947.

CHAPTER 118

FEES OF PUBLIC OFFICERS

AN ACT TO AMEND CHAPTER 156 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, IN RELATION TO FEES CHARGED FOR SERVICES RENDERED BY THE RECORDER OF DEEDS OF NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 156 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by repealing all of 5357. Sec. 14. thereof, that reads as follows:

"For certified copy, office copy, or exemplified copy of any record, two cents per line."

and by enacting and substituting in lieu thereof the following:

"For certified copy, office copy or exemplified copy of any record, if copies are furnished to the recorder, fifty cents a page or fractional part of a page: if copies are not furnished, \$1.50 a page or fractional part of a page."

Section 2. This Act shall become effective May 1, 1947.

Approved April 2, 1947.

CHAPTER 119

STATE REVENUE

APPORTIONMENT OF FEDERAL AND STATE ESTATE TAXES

AN ACT PROVIDING FOR APPORTIONMENT OF FEDERAL AND STATE ESTATE TAXES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. (a) Whenever it appears upon any accounting, or in any appropriate action or proceeding, that an executor, administrator, temporary administrator, trustee, or other person acting in a fiduciary capacity, has after the effective date of this Act paid an estate tax levied or assessed under the provisions of Article 11 of Chapter 6 of the Revised Code of Delaware, 1935, as amended (subdivision 143 of said Code), providing for a tax known as "Delaware Estate Tax", or under any law amendatory thereof or supplemental thereto, or under any other law hereafter enacted providing for the same or a different estate tax, or under the provisions of any estate tax law of the United States heretofore or hereafter enacted, upon or with respect to any property required to be included in the gross estate of a decedent under the provisions of any such law, the amount of the tax so paid, except in a case where a testator otherwise directs in his will, and except in a case where by written instrument executed inter vivos direction is given for apportionment within the fund of taxes assessed upon the specific fund dealt with in such inter vivos instrument, shall be equitably prorated among the persons interested in the estate to whom such property is or may be transferred or to whom any benefit accrues. Such proration shall be made by the Orphans' Court of the County in which any such accounting has been made, or in which any such appropriate action or proceeding is pending, in the proportion, as near as may be, that the value of the property, interest, or benefit of each such person bears to the total value of the property, interests, and benefits received by all such persons interested in the estate, except that in making such proration allowances shall be made for any exemptions granted by the Act imposing the tax and for any deductions allowed by such Act for

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the purpose of arriving at the value of the net estate; and except that in cases where a trust is created, or other provision made whereby any person is given an interest in income, or an estate for years, or for life, or other temporary interest in any property or fund, the tax on both such temporary interest and on the remainder thereafter shall be charged against and be paid out of the corpus of such property or fund without apportionment between remainders and temporary estates. For the purposes of this Section the term "persons interested in the estate" shall with respect to both State and Federal taxes include all persons who may be entitled to receive or who have received any property or interest which is required to be included in the gross estate of a decedent, or any benefit whatsoever with respect to any such property or interest, whether under a will or intestacy, or by reason of any transfer, trust, estate, interest, right, power, or relinquishment of power taxable under any of the aforementioned laws providing for the levy or assessment of estate taxes.

The tax shall be paid by the executor, administrator, or other fiduciary as such out of the estate before its distribution. In all cases in which any property required to be included in the gross estate does not come into the possession of the executor, administrator or other fiduciary as such, he shall recover from whoever is in possession, or from the persons interested in the estate, the proportionate amount of such tax payable by the persons interested in the estate with which such persons are chargeable under the provisions of this Section, and the said Orphans' Court may by order direct the payment of such amount of tax by such persons to the executor, administrator, or other fiduciary.

No executor, administrator, or other person acting in a fiduciary capacity shall be required to transfer, pay over, or distribute any fund or property, which may have either a Federal or a State tax imposed upon it, or which may be liable for the payment of any Federal or State tax, until the amount of such tax or taxes due from the devisee, legatee, distributee,

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or other person to whom such property is transferred, is paid, or, if the apportionment of tax has not been determined, adequate security is furnished by the transferee for such payment.

(b) The said Orphans' Court is hereby granted jurisdiction and all power necessary to make the prorations and the orders directing the payment of amounts of tax contemplated by subdivision (a) of this Section. Such jurisdiction may be invoked by petition filed in said Court by any such executor, administrator, temporary administrator, trustee, or other person acting in a fiduciary capacity, or any other person having such an interest as may in the judgment of said Court entitle him to file such a petition. The said Orphans' Court, upon making a determination as provided in subdivision (a) of this Section, shall make a decree or order directing the executor, administrator, or other fiduciary to charge the prorated amounts against the persons against whom the tax has been so prorated, in so far as he is in possession of property or interests of such persons against whom such charge has been made, and summarily directing all other persons against whom the tax has been so prorated or who are in possession of property or interests of such persons to make payment of such prorated amounts to such executor, administrator or other fiduciary. Every such petition shall make all interested persons parties defendant to the proceeding and they shall be summoned, or otherwise notified, as provided by the Rules of the Orphans' Court relating to partition causes. The said Court may hear the cause upon oral testimony of witnesses or otherwise.

Section 2. All acts or parts of acts inconsistent with this Act are hereby repealed to the extent of such inconsistency only.

Approved April 2, 1947.

CHAPTER 120

MOTOR VEHICLES

RELATING TO LIGHTS VISIBLE FROM IN FRONT OF VEHICLE

AN ACT TO AMEND CHAPTER 165, OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO LIGHTS VISIBLE FROM IN FRONT OF A VEHICLE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5673. Sec. 135 of Chapter 165 of the Revised Code of Delaware, 1935, as amended; be and the same is hereby amended by repealing all of said section and substituting therefor the following:

5673. Sec. 135. **Unlawful Lights Visible from in Front of Vehicle:**—It shall be unlawful for any person to drive or move any vehicle upon a highway with any other than a white light thereon visible from directly in front thereof; provided, however, that amber lights as provided in Section 128 (e) and Section 129 (e) of this Chapter shall be permissible. This section shall not apply to police, fire department, fire patrol vehicles or ambulance.

Approved April 2, 1947.

CHAPTER 121

MOTOR VEHICLES

RELATING TO THE SUSPENSION OF LICENSES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE SUSPENSION OF LICENSES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 5606. Sec. 68 of Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is amended by repealing all of the paragraph designated as (d) and substituting therefor the following sub-paragraph designated as (d) as follows:

(d) The Department shall not suspend a license for a period of more than one year, and upon suspending or revoking any license shall require that such license so suspended or revoked be surrendered to the Department to be retained by it, except that at the end of a period of suspension, the license so surrendered shall be returned to the licensee.

Section 2. That 5606. Sec. 68 be and the same is further amended by adding at the end thereof a sub-paragraph designated (e) as follows:

(e) The Department, upon receiving a record of the conviction of any person upon a charge of operating a motor vehicle while the license of such person is suspended or revoked, shall immediately extend the period of such first suspension or revocation for an additional like period.

Approved April 2, 1947.

CHAPTER 122**MOTOR VEHICLES****RELATING TO NUMBER PLATES****AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO NUMBER PLATES FOR MOTOR VEHICLES.**

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 244, Volume 43, Laws of Delaware, be and the same is hereby further amended by repealing all of paragraph (a) of 5550. Sec. 12. and substituting in lieu thereof the following:

(a) The Department shall also furnish for each vehicle registered one number plate for a motorcycle, trailer, or semi-trailer, and one number plate for each other motor vehicle. The Department shall also furnish registration plates as hereinafter provided. Upon the termination of the lawful use of any such plates, they shall be returned to the Department.

Section 2. That Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 244, Volume 43, Laws of Delaware, be and the same is hereby further amended by striking out and repealing all of paragraph (b) of 5550. Sec. 12. and substituting in lieu thereof the following:

(b) Each number plate shall have displayed thereon the registration number assigned to the vehicle, the name of this State, which may be abbreviated. In case of vehicles registered for a gross rate of more than five thousand (5000) pounds the number plate may also show the gross weight for which the vehicle is registered. The said number plates for each vehicle shall also show, in the manner determined by the Department and as hereinafter provided, the period or expiration thereof for which the vehicle has been registered and the required registration fee paid. The said number plate and the identifying

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letters and numerals thereon, except the registration period or expiration thereof, shall be of sufficient size to be plainly readable at a distance of one hundred (100) feet during daylight. Upon the transfer of a vehicle or upon the expiration of registration for any other cause, the number plates assigned to a vehicle shall remain attached thereto.

Section 3. That Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 244, Volume 43, Laws of Delaware, be and the same is hereby further amended by striking out and repealing all of Subsection (a) of 5551. Sec. 13 thereof and substituting in lieu thereof a new Subsection (a) as follows:

(a) The number plate assigned to a motor vehicle shall at all times be attached to the rear of said motor vehicle.

Approved April 2, 1947.

CHAPTER 123

MOTOR VEHICLES

IN RELATION TO THE MAXIMUM GROSS LOAD FOR WHICH
VEHICLES MAY BE REGISTERED

**AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, ENTITLED,
"MOTOR VEHICLES", WITH REFERENCE TO THE
MAXIMUM GROSS LOAD FOR WHICH CERTAIN
MOTOR VEHICLES MAY BE REGISTERED.**

*Be it enacted by the Senate and the House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out the paragraph designated (L) of 5564. Sec. 26. thereof as the same appears in Chapter 287, Volume 45, Laws of Delaware, and by substituting and enacting in lieu of the parts so stricken out a new paragraph (L) as follows:

(L) Such vehicles as are authorized to operate or be moved as provided by Section 119 of this Chapter, shall be registered in the same manner as other vehicles, and may be registered for a maximum gross load of Forty Thousand (40,000) pounds. The fee for such registration shall be at the same rate required for trucks and semi-trailers; whenever a special permit is issued as provided by Section 119 of this Chapter, the fee for issuing the same shall be One Dollar (\$1.00), and in addition thereto, the sum of Two Cents (\$.02) per ton per mile on the tonnage by which the total load, including the vehicle, exceeds Forty Thousand (40,000) pounds.

Approved April 3, 1947.

CHAPTER 124

MOTOR VEHICLES

MAKING PROVISIONS FOR RESTRICTING THE USE OF HIGHWAYS
BY STATE AND LOCAL AUTHORITIES

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "MOTOR VEHICLES", BY MAKING PROVISION FOR RESTRICTING THE USE OF HIGHWAYS BY STATE AND LOCAL AUTHORITIES.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 5658. Sec. 120. of said Chapter and by inserting and enacting in lieu thereof a new 5658. Sec. 120. as follows, to-wit:

5658. Sec. 120. **When State and Local Authorities May Restrict Right to Use Highways:**—State and Local authorities may by ordinance or resolution prohibit the operation of vehicles upon any highway or impose restrictions as to weight of vehicles for a total period not to exceed ninety days in any one calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which such state and local authorities are responsible, whenever any said highway by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. Such state and local authorities enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway affected thereby and the ordinance or resolution shall not be effective until or unless such signs are erected and maintained. State and local authorities may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

Approved April 3, 1947.

CHAPTER 125

MOTOR VEHICLES

APPLICATIONS FOR OPERATOR'S LICENSE OF MINORS

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO APPLICATIONS OF MINORS FOR OPERATOR'S LICENSE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by repealing 5596. Sec. 58, and substituting therefor the following:

5596. Sec. 58. **Application of Minor:**—The Department, in its discretion, may grant an operator's license to a minor under the age of 18 years, provided that the application therefor shall be signed, (a) by the father of the minor, if the father is living within the State of Delaware and the minor resides with the father; (b) by the mother of the minor, if the father is not living within the State of Delaware, and the mother is living within the State, and the minor resides with the mother; (c) by the guardian of the minor, duly appointed as such under the laws of the State of Delaware, if neither the father nor mother is living within the State of Delaware; (d) by the employer of the minor, or by any suitable person acceptable to the Motor Vehicle Commissioner, if neither the father or mother of the minor is living within the State of Delaware and the minor has no legal guardian within the State.

Approved April 3, 1947.

CHAPTER 126

STATE HIGHWAY DEPARTMENT

EXPANSION OF POLICE FORCE

AN ACT MAKING AN APPROPRIATION TO THE STATE HIGHWAY DEPARTMENT TO ENABLE THE STATE POLICE FORCE TO BE EXPANDED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other money appropriated to the State Highway Department, there is hereby appropriated an additional sum of Seventy-Five Thousand Dollars (\$75,000.00) for the fiscal year beginning July 1, 1947 and ending on the 30th day of June, A. D., 1948, and a further sum of Seventy-Five Thousand Dollars (\$75,000.00) for the fiscal year beginning July 1, 1948 and ending on the 30th day of June, A. D., 1949.

Section 2. The monies hereby appropriated shall be used by the State Highway Department for an expansion of the State Police Force of the said Department up to a limit of One Hundred and Twenty (120) men. The State Treasurer is hereby directed to pay out the funds hereby appropriated upon warrant or warrants duly approved by the proper officers of the State Highway Department.

Section 3. This bill shall be known as a supplementary appropriation act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Section 4. The expansion of the State Police force hereby authorized and provided for by appropriations is in part for the purpose of manning all State Police Stations in the State on a twenty-four hour a day basis. The State Highway Department is hereby authorized and directed to keep members of the State Police force assigned to each State Police Station in the State so that each such station will be staffed for service for twenty-four hours of each day.

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Section 5. If any provision of this Act or the application thereof to any persons or circumstances be held invalid, such invalidity shall not affect any other provision or application of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Approved April 3, 1947.

CHAPTER 127

STATE HIGHWAY DEPARTMENT

DUAL OR DIVIDED HIGHWAYS

AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "STATE HIGHWAY DEPARTMENT", WITH REFERENCE TO DUAL OR DIVIDED HIGHWAYS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 166 of the Revised Code of Delaware, 1935, as amended by Chapter 270, Volume 45, Laws of Delaware, 1945, be further amended by striking out and repealing the second paragraph of 5758. Sec. 39. thereof, the same being designated as (b), and by inserting and enacting in lieu of the part so stricken out, a new paragraph designated (b) as follows:

(b) The State Highway Department is authorized to divide or separate any State Highway into separate roadways whenever there is particular danger to the travelling public of collision between vehicles proceeding in opposite directions or from cross traffic, by constructing curbs, central dividing parkways or other physical separations, or by signs, marks or other devices in or on the roadway, appropriate to designate the dividing line.

Approved April 3, 1947.

CHAPTER 128

STATE HIGHWAY DEPARTMENT

MONEY NOT TO REVERT TO GENERAL FUND

AN ACT TO PROVIDE THAT ANY UNUSED FUNDS OUT OF THE APPROPRIATIONS TO THE STATE HIGHWAY DEPARTMENT IN THE BUDGET APPROPRIATION BILL FOR THE BIENNIUM ENDING JUNE 30, 1949, SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY FISCAL YEAR BUT SHALL REMAIN CREDITED BY THE STATE TREASURER TO THE SAID DEPARTMENT FOR CONSTRUCTION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The moneys appropriated to the State Highway Department in the Budget Appropriation Bill for each of the fiscal years ending June 30, 1948 and June 30, 1949, which shall remain unexpended at the end of the respective fiscal years, shall be credited by the State Treasurer for the use of the said State Highway Department for the construction and reconstruction of roads, highways and bridges of this State, and shall not revert for the use or purposes of any other fund of the State.

Approved April 3, 1947.

CHAPTER 129

STATE HIGHWAY DEPARTMENT

INSTALL A CULVERT ON SELBYVILLE SCHOOL GROUNDS

**AN ACT DIRECTING THE STATE HIGHWAY DEPARTMENT
TO INSTALL A CULVERT THROUGH AND UNDER THE
SCHOOL GROUNDS OF SELBYVILLE SCHOOL NO. 32
AND APPROPRIATING MONEY THEREFOR.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the State Highway Department is hereby authorized, empowered and directed to install a culvert of a diameter of not less than five (5) feet, constructed of reinforced concrete or asbestos bonded corrugated metal, through and under the school grounds of Selbyville School No. 32 for the purpose of relieving the water which has been backed up on the property of adjoining property owners by virtue of blocking the normal flow of water over said school property.

Section 2. A sum not in excess of Ten Thousand Dollars (\$10,000.00) is hereby appropriated for such purpose and the State Treasurer is hereby directed to pay the same upon proper vouchers drawn from time to time by the State Highway Department for the purposes hereinbefore set forth.

Section 3. That the said State Highway Department shall without delay proceed promptly to carry into effect the purposes of this Act and the said sum hereby appropriated shall remain available for said purposes until the purposes of this Act have been fully carried out.

Section 4. This bill shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury from sums not otherwise appropriated.

Approved April 3, 1947.

CHAPTER 130

ADVERTISING FOR PUBLIC WORK

AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO ADVERTISEMENT FOR PUBLIC WORK.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 14, Chapter 43, Revised Code of Delaware, 1935, as amended, being Code Section 1160, be and the same is hereby amended by striking out the said section and inserting in lieu thereof a new section as follows:

1160. Sec. 14. Advertisement for Public Work Exceeding One Thousand Dollars; Bidding Upon; Bidder to Give Security:— It shall be unlawful for any Commissioner of the Levy Court of New Castle County to vote for or consent to the doing of any work and labor for New Castle County or said Levy Court, or to vote for or consent to the furnishing, having or using by or for account of said County or Levy Court of any merchandise, tools, implements, machinery or materials whatsoever, where the cost in any particular case will probably exceed the sum of One Thousand Dollars, whether said work, labor, merchandise, tools, implements, machinery or materials shall be required for new work or for repairs upon old work, unless and until the said Levy Court shall publicly invite sealed proposals for the doing of such work and the furnishing of such merchandise, tools, implements, machinery and materials, and give the contract resulting therefrom and therefor to the lowest responsible bidder or bidders; bids so obtained shall be opened publicly in the presence of bidders, or their representatives, who may desire to attend. The said Commissioners may require of such bidder or bidders security for the faithful performance of such contract.

Approved April 3, 1947.

CHAPTER 131

NEW CASTLE COUNTY

RELIEF OF INDIGENT SICK

AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO RELIEF OF THE INDIGENT SICK RESIDENT IN NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 43 of the Revised Code of Delaware, 1935, as amended, be and the same hereby is further amended by repealing all of Section 22 thereof and enacting and inserting in lieu thereof the following:

1168. Sec. 22. **Indigent Sick, Appropriation for Hospitals Caring for; to Keep Records; Reports of Hospitals; Duty of Comptroller; Limitation of Charges:**—The Levy Court of New Castle County is authorized and required annually to appropriate for the relief of the indigent sick, resident in said County, the sum of ninety thousand dollars (\$90,000.00), and in fixing the rate of taxation the said Levy Court shall annually provide for the said sum of ninety thousand dollars.

Any and all hospitals now or hereafter located within New Castle County and which are not principally dependent for their maintenance and operation upon State or Federal appropriation are authorized to accept, treat and care for any indigent sick resident in said County and to furnish them with proper medical or surgical care and attention, to be paid therefor in the manner hereinafter provided.

Every such hospital furnishing medical or surgical care and attention to any such indigent sick shall keep a record thereof in the manner and form prescribed by the Comptroller of New Castle County, showing the number of such indigent sick receiving medical or surgical care and attention, the name and residence of each of said persons, the date said person was ad-

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mitted to said hospital and the date that said person was discharged therefrom together with an itemized list showing all expenses incurred by said hospital for medical or surgical care and attention furnished such persons.

Every such hospital which desires to be paid for medical or surgical care and attention for any such indigent sick by the Levy Court, shall on or before the fifteenth day of each month transmit to the Comptroller a duly verified copy of the record hereinabove provided for, for the preceding month, and the said Comptroller upon receipt thereof shall forthwith investigate the facts contained therein, and if he shall deem it proper or necessary in the making of said investigation, he shall have full power and authority to make an examination of the books, papers and accounts appertaining thereto of the hospital so furnishing the said verified copy, and if upon such investigation the said Comptroller is satisfied that the facts contained in said verified copy are true and correct, he shall approve the payment by the Levy Court of the amount shown to be due by said verified copy to said hospital, otherwise, the Comptroller shall disapprove the same, and upon such approval or disapproval the Comptroller shall forthwith transmit the said verified copy with his approval or disapproval endorsed thereon to the Levy Court.

The Levy Court is authorized and required to pay to each of said hospitals the amounts shown to be due to it by such verified lists so furnished as shall be approved by the Comptroller at such rate per day as shall be determined by the Levy Court in its discretion for each person receiving such medical or surgical care and attention, out of any monies then in said special account for that purpose; provided that no money shall be paid to any of said hospitals for any months until the amount due to all the hospitals in said County for the preceding month has been fully determined and paid.

Approved April 3, 1947.

CHAPTER 132

NEW CASTLE COUNTY

VALUATION AND ASSESSMENT OF PROPERTY

AN ACT TO AMEND CHAPTER 44 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "VALUATION AND ASSESSMENT OF PROPERTY" IN RELATION TO THE ASSESSMENT OF PROPERTY IN NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 44 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 1277. Sec. 20. thereof and enacting and inserting in lieu thereof the following:

The Board of Assessment of New Castle County shall ascertain and assess according to law, all the taxable property in each election district outside of the City of Wilmington and in the City of Wilmington and make a written statement thereof showing the names of the owners or last owners or reputed owners, if known arranged alphabetically and at least three consecutive letters of the last names thereof, or by street and number, or by other brief description, the different kinds of property, the value of each kind, the amount of each owner's, last owner's or reputed owner's assessment and the amount of assessment of each of said election districts not included within the corporate limits of any incorporated town and city, and the amount of assessment of each incorporated town and city within said county. The name on said statement will be regarded as an aid to identify such property, but a mistake in the name of the owner, last known owner or reputed owner, or the absence of name, shall not affect the validity of the assessment of any tax based thereon.

Section 2. That 1278. Sec. 21. Chapter 44 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby repealed.

Approved April 3, 1947.

CHAPTER 133

NEW CASTLE COUNTY

PROVIDING ADDITIONAL METHOD AND AUTHORITY FOR
COLLECTING TAXES**AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE
OF THE STATE OF DELAWARE, 1935, AS AMENDED,
ENTITLED "COUNTY TREASURERS AND COLLECTION
OF TAXES", TO PROVIDE FOR AN ADDITIONAL METH-
OD AND AUTHORITY FOR COLLECTING TAXES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 45 of the Revised Code of Delaware, as amended, be and the same is hereby further amended by enacting and adding to Article 1 thereof a new section to be known and styled as follows, to-wit:

1381A. Sec. 41A. **Additional Method and Authority for Collecting Taxes; Filing of Praeipce; Record Thereof; Monition to Issue; Form of; Copy to be Posted; Sale of Property:**—In addition to all existing methods and authority for the collection of taxes due to the Receiver of Taxes and County Treasurer of New Castle County and/or former County Tax Collectors or former Receivers of Taxes and County Treasurers of New Castle County, the following method and authority is hereby established;

The Receiver of Taxes and County Treasurer of New Castle County may file, or cause to be filed by the Collector of Delinquent Taxes for New Castle County, a Praeipce in the office of the Prothonotary of the Superior Court, in and for New Castle County, which Praeipce shall contain the name of the person against whom the taxes sought to be collected were assessed, and a copy of the bill or bills showing the amount of taxes due and the property against which said taxes were assessed, and the description of the property as the same appears upon the assessment rolls prepared by the Board of Assessment of New Castle County, shall be a sufficient identification and description of said

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property. Thereupon the said Prothonotary shall make a record of the same on a special Judgment Docket of said Superior Court against the property mentioned or described in said Praecipe which said record shall consist of the following:

The name of the person in whose name the assessment was made.

The description of the property as the same shall appear upon the assessment rolls as prepared by the Board of Assessment of New Castle County.

The year or years for which said taxes are due and payable.

The date of the filing of such Praecipe.

The amount of the judgment, the same being the amount set forth in said Praecipe.

Such judgment shall be indexed in the Judgment Docket itself under the Hundred in which said property is located as said location appears upon the assessment rolls prepared as aforesaid, and under said Hundred by Communities where the name of said Community appears upon the assessment rolls prepared as aforesaid, and by referring to the page in said Judgment Docket whereon the record aforesaid shall appear. Thereafter upon a Praecipe for monition filed in the office of the said Prothonotary by the Collector of Delinquent Taxes for New Castle County, on behalf of the Receiver of Taxes and County Treasurer of New Castle County, a monition shall be issued by the Prothonotary aforesaid to the Sheriff of New Castle County, which monition shall briefly state the amount of the judgment for the taxes due and the years thereof, together with a brief description of the property upon which said taxes are a lien, and a description of such property as same shall appear upon the assessment rolls prepared as aforesaid shall be a sufficient description. Said monition shall be in substantially the following form:

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To all persons having or claiming to have any title, interest or lien upon the within described premises, take warning that unless the judgment for the taxes or assessment stated herein is paid within twenty days after the date hereof or within such period of twenty days, evidence of the payment of taxes herein claimed shall be filed in the office of the Prothonotary, which evidence shall be in the form of a receipted tax bill or duplicate thereof, bearing date prior to the filing of the lien in the office of the Prothonotary for New Castle County, the Receiver of Taxes and County Treasurer of New Castle County or the Collector of Delinquent Taxes for New Castle County on his behalf may proceed to sell the property herein mentioned or described for the purpose of collecting the judgment for the taxes or assessments herein stated.

| Name of person in whose name property is assessed | Description of property | Year or Years | Amount of Judgment |
|--|-------------------------------|---------------------|--------------------------|
|--|-------------------------------|---------------------|--------------------------|

Said Monition, or a copy thereof, shall be posted by the Sheriff upon some prominent place or part of the property against which said judgment for the taxes or assessment is a lien, and the Sheriff shall make due and proper return of his proceedings under said Monition to said Prothonotary, within ten days after the posting of said Monition as aforesaid.

Alias or pluries Monition may issue upon like Praecipe. The posting of said notice as herein required shall constitute notice to the owner or owners and all persons having any interest in said property.

At any time after the expiration of twenty days next following the return of the Sheriff upon such Monition, unless before the expiration of said twenty days the said Judgment and cost on said Judgment shall be paid or evidence of the payment of such taxes evidenced by a receipted tax bill or a duplicate thereof bearing date therefor prior to the filing of said lien for

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record in the office of the Prothonotary as aforesaid, upon application in writing by the Collector of Delinquent Taxes for New Castle County on behalf of the Receiver of Taxes and County Treasurer of New Castle County, a writ of Venditioni Exponas shall issue out of the office of the said Prothonotary directed to the Sheriff commanding the Sheriff to sell the property mentioned or described in said writ and make due return of his proceedings thereunder in the same manner as is now applicable with respect to similar writs of Venditioni Exponas issued out of the said Superior Court. The property shall be described in said writ under the description thereof as it appears on the assessment rolls prepared by the Assessment Board of New Castle County and by metes and bounds where obtainable, but nothing herein contained shall be construed to invalidate a writ or a sale pursuant thereto containing only the description as it appears on the assessment rolls prepared as aforesaid, or a writ bearing only a description by metes and bounds.

Said writ shall be substantially in the following form:

NEW CASTLE COUNTY, SS.

The State of Delaware.

TO THE SHERIFF OF NEW CASTLE COUNTY,

GREETINGS:

WHEREAS, by a Monition issued out of the Superior Court dated at Wilmington, the _____ day of _____ A. D. 19 ____ . IT WAS COMMANDED, that you should post the said Monition or copy thereof upon the real estate therein mentioned and described, and make a return to the said Superior Court within ten days after said posting.

That on the _____ day of _____ A. D. 19 ____ , you returned that a copy of the said Monition was posted on the real estate therein mentioned and described on the _____ day of _____ A. D. 19 ____ .

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We therefore now command you to expose to public sale, the real estate mentioned and described in said Monition as follows:

and that you should cause to be made as well a certain debt of _____ Dollars (\$) lawful money of the United States, which to the said Receiver of Taxes and County Treasurer of New Castle County, is due and owing, as also the sum of _____ Dollars (\$) lawful money as aforesaid, for its costs, which it has sustained by the detaining of that debt, whereof the said _____ was convicted as it appears of record and against which said property it is a lien:

And have you that money before the Judges of our Superior Court at Wilmington, on Monday the _____ day of Next, to render to the said Receiver of Taxes and County Treasurer of New Castle County as aforesaid, for its debt and costs as aforesaid, and this writ:

WITNESSETH, the Honorable
at Wilmington, the _____ day of _____ A. D. 19 ____.

Prothonotary.

Issued:

The description contained in such Monition shall be a sufficient description of the real estate to be sold under said writ:

Sec. 41B. Title of Property Sold; Owner May Redeem, When; When Owner Fails to Redeem; Petition to Court; Sale by Sheriff; Return of Proceedings:—Any real estate or interest therein sold under the provisions hereof shall vest in the purchaser all the right, title and interest of the person in whose name said property was assessed, and/or all right, title and interest of the person or persons who are the owners thereof, and likewise freed and discharged from any dower or courtesy or statutory right, in the nature of a dower or courtesy, whether absolute or inchoate, in or to said real estate.

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The owner of any such real estate sold under the provisions of this act or his legal representatives may redeem the same at any time within one year from the day the sale thereof is approved by the Court, by paying to the purchaser or his legal representatives, successors or assigns, the amount of the purchase price and fifteen per cent in addition thereto, together with all costs incurred in the cause; or if the purchaser or his legal representatives, successors or assigns shall refuse to receive the same, or do not reside or can not be found within the County of New Castle, by paying said amount into said Court for the use of said purchaser, his legal representatives or assigns.

In the event that the owner of said property or his legal representatives shall fail to redeem said property as herein provided, the purchaser of said property or his legal representatives, successors or assigns may present a Petition to the Superior Court setting forth the appropriate facts in conformity with this act and pray that the said Superior Court make an order directing the Sheriff, then in office, to execute, acknowledge and deliver a deed conveying the title to said property to the Petitioner; and thereupon the said Superior Court shall have power, after a hearing upon said Petition, to issue an order directing the Sheriff to execute, acknowledge and deliver a deed as prayed for in said Petition, and a description of said property as the same shall appear upon the assessment rolls prepared by the Board of Assessment of New Castle County, and a description by metes and bounds where obtainable shall be a sufficient description in any such deed.

If the owner of any real estate sold under an order of sale or his legal representative shall redeem said real estate, he may prefer to said Superior Court a Petition setting forth that fact and thereupon the said Superior Court, after hearing and determining the facts set forth in said Petition, the said Superior Court shall have power to cause to be entered upon the record of the Judgment, under which said real estate was sold, a memorandum that the real estate described in the proceedings upon

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which said Judgment was entered has been redeemed and thereafter the said owner shall hold such redeemed real estate subject to the same liens and in the same order of priority as they existed at the time of the sale thereof, excepting so far as the said liens have been discharged or reduced by the application of the proceeds by the said Sheriff from the said sale.

Upon the return of the proceedings under said writ of Venditioni Exponas, the Superior Court may inquire into the regularity of the proceedings thereunder, and either approve the sale or set it aside.

Sec. 41C. No Proceedings Unless Tax is a Lien Upon Property; Superior Court When Mentioned Means Any Judge Thereof:—No proceedings shall be brought under this act unless the tax or assessment sought to be collected hereunder shall at the time of the filing of said Praeceptum in the office of the Prothonotary be and constitute a lien upon the property against which the tax or assessment was assessed or laid. Whenever the Superior Court is mentioned in this statute, the same shall be held to embrace the Judges or any Judge thereof, and any act required or authorized to be done under this act may be done by the said Superior Court or any Judge thereof in vacation thereof, as well as in term time.

Sec. 41D. Fees and Costs:—The fees and costs to be taxed in all proceedings under this act where not otherwise provided for, shall be as follows:

The following fees shall be charged by the Prothonotary:

| | |
|---|---------|
| Filing Praeceptum | \$ 1.10 |
| Issuing Monition and copy | 2.75 |
| Issuing Alias or Pluries, Monition and copy | 2.75 |
| Writ of Venditioni Exponas | 2.25 |
| Filing any Petition in Superior Court under this Act..... | 1.00 |
| Costs of paying money into Superior Court | 1.00 |

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Costs of paying money out of Superior Court for each
check drawn 1.00

The following fees shall be charged by the Sheriff:

Posting Monition or copy thereof75

Posting each Alias or Pluries, Monition or copy thereof..... .75

The following fees shall be charged by the Collector of Delinquent Taxes for New Castle County:

For preparing description by metes and bounds of lien-
ed property 10.00

All other charges not covered by this act shall be the same as are now provided by law.

Sec. 41E. Former County Tax Collectors Discharged; When:—Upon the starting of suit under this act as hereinbefore provided by the current Receiver of Taxes and County Treasurer of New Castle County, or the Delinquent Tax Collector of New Castle County, on his behalf for the use of a former County Tax Collector or a former Receiver of Taxes and County Treasurer of New Castle County, said former County Tax Collector or former Receiver of Taxes and County Treasurer of New Castle County shall be discharged of his bond for all taxes for which said suit is brought.

Approved April 3, 1947.

CHAPTER 134

NEW CASTLE COUNTY

CHANGING DATE FOR FIXING RATES OF TAXES

AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO COUNTY TREASURERS AND COLLECTION OF TAXES BY CHANGING THE DATE FOR THE FIXING OF THE RATE OF ALL TAXES PAYABLE TO THE COUNTY OF NEW CASTLE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 3, Chapter 45, of the Revised Code of Delaware, 1935, as amended, being Code Section 1343., be and the same is hereby further amended by striking out the first sentence thereof and inserting and enacting in lieu thereof the following:

It shall be the duty of the Levy Court Commissioners to have prepared from the assessment list last made as required by law, duplicates of the taxes payable to the county in each and every hundred of New Castle County for the use of the Receiver of Taxes and County Treasurer, on or before the fifteenth day of May in every year, and they shall fix the rate of all taxes payable to the County and issue their warrants to the Receiver of Taxes and County Treasurer for the same, not later than the fifteenth day of May.

Approved April 3, 1947.

CHAPTER 135

NEW CASTLE COUNTY

COUNTY TREASURERS AND COLLECTION OF TAXES IN RELATION
TO MISDEMEANORS AND PENALTY

AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "COUNTY TREASURERS AND COLLECTION OF TAXES", BY THE REPEAL OF 1397. SEC. 57. THEREOF AND BY THE SUBSTITUTION IN LIEU THEREOF OF A NEW SECTION TO BE KNOWN AS 1397. SEC. 57. IN RELATION TO MISDEMEANORS AND PENALTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 45 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 1397. Sec. 57. thereof and substituting in lieu thereof a new section to be known as 1397. Sec. 57., as follows:

1397. Sec. 57. Violations of Sections 42 to 56, Misdemeanors; Penalty:—Any person, corporation or firm violating any of the provisions of Sections 42 to 56, inclusive, of this Article, shall be guilty of a misdemeanor and upon conviction therefor shall forfeit and pay a fine of not less than fifty dollars nor more than one thousand dollars for the use of New Castle County. In default of the payment of any fine imposed under the provisions of this Section, the Court shall impose upon conviction a term of imprisonment of not less than one month nor more than one year for each and every offense.

Approved April 3, 1947.

CHAPTER 136

NEW CASTLE COUNTY

PAWNBROKERS AND JUNK DEALERS

AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "COUNTY TREASURERS AND COLLECTION OF TAXES", BY THE REPEAL OF 1382. SEC. 42. THEREOF AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1382. SEC. 42. IN RELATION TO PAWNBROKERS AND JUNK DEALERS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 45 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 1382. Sec. 42., and by substituting in lieu thereof a new Section to be known as 1382. Sec. 42., as follows:

1382. Sec. 42. Pawnbrokers and Junk Dealers; Defined; License of:—The Clerk of the Peace of New Castle County shall annually on or before the 15th day of March grant licenses under his hand and official seal to such persons, citizens of the State of Delaware, and corporations existing under the laws of the State of Delaware, as shall furnish him satisfactory evidence of the good repute of such persons and corporations to engage in and carry on the business of pawnbroker or junk dealer, which licenses shall designate the building or buildings in which said person or corporation shall carry on said business; no person or corporation shall engage in or carry on the business of pawnbroker or junk dealer in said New Castle County without having been duly licensed by the Clerk of the Peace of said County nor in any other building or buildings than the one or ones designated in said license. Any person, corporation or firm making a business of loaning money on the deposit or pledge of personal property or other valuable things, other than printed evidences of indebtedness, or any person, corporation or firm dealing in the purchase of personal property or other valuable things on condition

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of selling the same back again at the stipulated price to the seller or his, her or its assignee or assignees, is declared and defined to be a pawnbroker, under this Chapter. Every person whose business is to buy or sell old iron, brass, lead, copper or other metals or combinations of metals, paper, second-hand clothes or any second-hand personal property of any kind or description whatsoever, is declared and defined to be a junk dealer under this Article, provided, however, that none of the provisions of this Article shall apply to persons dealing in second-hand books.

Approved April 3, 1947.

CHAPTER 137

NEW CASTLE COUNTY

PAWNBROKERS AND JUNK DEALERS

AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "COUNTY TREASURERS AND COLLECTION OF TAXES", BY THE REPEAL OF 1383. SEC. 43 THEREOF AND BY SUBSTITUTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS 1383. SEC. 43. IN RELATION TO LICENSE FEES OF PAWNBROKERS AND JUNK DEALERS IN NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 45 of the Revised Code of Delaware, 1935, be and the same is hereby further amended by striking out and repealing all of 1383. Sec. 43. and by substituting in lieu thereof a new Section to be known as 1383. Sec. 43. as follows:

1383. Sec. 43. Pawnbrokers and Junk Dealers; License Fees:—Every person, corporation or firm receiving such license for conducting the business of pawnbroker shall pay therefor to the Clerk of the Peace of New Castle County the sum of seventy-five dollars for the use of New Castle County; and every person, corporation or firm receiving such license for conducting the business of junk dealer shall pay therefor to the Clerk of the Peace of New Castle County the sum of twenty-five dollars for the use of New Castle County.

Approved April 3, 1947.

CHAPTER 138

NEW CASTLE COUNTY

ISSUANCE OF TAX DUPLICATES

AN ACT TO AMEND CHAPTER 45 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE ISSUANCE OF TAX DUPLICATES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 6, Chapter 45, Revised Code of Delaware, 1935, as amended, being Code Section 1346. be further amended by striking out of the said Section the words "first day of July" as the same appear in line 3 thereof, and enacting and substituting in lieu thereof the words "fifteenth day of May".

Approved April 3, 1947.

CHAPTER 139

NEW CASTLE COUNTY
SALARIES OF COUNTY OFFICERS**AN ACT TO AMEND CHAPTER 53 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, IN RELATION TO THE SALARIES OF THE DEPUTIES AND CLERKS OF CERTAIN COUNTY OFFICES OF NEW CASTLE COUNTY.**

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 53 of the Revised Code of Delaware, 1935, as amended, be and the same hereby is amended by striking out and repealing all of the second paragraph of 1598. Sec. 7. thereof and inserting in lieu thereof a new paragraph as follows:

1598. Sec. 7. **Deputies and Clerks; Index Clerks in New Castle County; Appointment; Salaries:**—In New Castle County, the Clerk of the Peace may select and employ one Chief Deputy at an annual salary of Twenty-four Hundred Dollars (\$2,400.00), and four Clerks, each at an annual salary of Two Thousand Dollars (\$2,000.00); the Sheriff, two Chief Deputies, at an annual salary of Twenty-four Hundred Dollars (\$2,400.00) each, and eight additional Deputies, each at an annual salary of Two Thousand Dollars (\$2,000.00); the Prothonotary, one Chief Deputy at an annual salary of Twenty-four Hundred Dollars (\$2,400.00), and six Clerks, each at an annual salary of Two Thousand Dollars (\$2,000.00); the Recorder, one Chief Deputy, and two other Deputies or Index Clerks, each at an annual salary of Twenty-four Hundred Dollars (\$2,400.00), and twenty-five Clerks, each at an annual salary of Two Thousand Dollars (\$2,000.00), and two caretakers, each at an annual salary of One Thousand Two Hundred Dollars (\$1,200.00); the Register of Wills, one Chief Deputy at an annual salary of Twenty-four Hundred Dollars (\$2,400.00), and one other Deputy at an annual salary of Twenty-four Hundred Dollars (\$2,400.00) and one Chief Clerk at an annual salary of Two Thousand One Hundred Dollars (\$2,100.00),

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SALARIES OF COUNTY OFFICERS

and eight Clerks, each at an annual salary of Two Thousand Dollars (\$2,000.00); the Register in Chancery and Clerk of the Orphans' Court, one Chief Deputy, at an annual salary of Twenty-four Hundred Dollars (\$2,400.00), and six Clerks each at an annual salary of Two Thousand Dollars (\$2,000.00); the Coroner, one Chief Deputy, at an annual salary of Fifteen Hundred Dollars (\$1,500.00).

Section 2. This Act shall become effective on the first day of the month following its approval.

Approved April 3, 1947.

CHAPTER 140

NEW CASTLE COUNTY

GRUBBING ON PUBLIC ROADS

**AN ACT TO AMEND CHAPTER 55, OF THE REVISED CODE
OF DELAWARE, AS AMENDED, RELATING TO THE
GRUBBING OF PUBLIC ROADS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Section 27, Chapter 55, Revised Code of Delaware, 1935, being Code Section 1671, be and the same is hereby amended by striking out the first paragraph thereof and substituting in lieu thereof a new first paragraph as follows:

"All public roads hereafter laid out shall be, in New Castle County, of such width, not less than thirty feet, as shall be determined by the persons appointed to lay out the same."

Approved April 3, 1947.

CHAPTER 141

SUSSEX COUNTY

RECORDING ACQUITTANCES

**AN ACT AUTHORIZING THE REGISTER OF WILLS OF
THE STATE OF DELAWARE, IN AND FOR SUSSEX
COUNTY TO PROCURE A RECORD FOR THE PURPOSE
OF RECORDING ACQUITTANCES IN SUSSEX COUNTY.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. The Register of Wills of the State of Delaware, in and for Sussex County is authorized to have records of forms printed and bound, for the purpose of recording acquittances in Sussex County, which record shall be printed upon good record paper and with necessary blanks for the names and dates.

Section 2. All records of forms so printed shall be evidence in law as other records of Sussex County.

Section 3. The Levy Court of Sussex County is hereby authorized and directed to pay the necessary costs of procuring said records.

Approved April 3, 1947.

CHAPTER 142

STATE BOARD OF PHARMACY

PROVIDING METHOD FOR KEEPING DRUGS

AN ACT TO AMEND CHAPTER 28 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED, "STATE BOARD OF PHARMACY", BY PROVIDING THE METHOD IN WHICH PRESCRIPTION DRUGS, CHEMICALS AND PREPARATIONS USED IN COMPOUNDING MEDICINES AND PRESCRIPTIONS SHALL BE KEPT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 28 of the Revised Code of Delaware, 1935, entitled, "State Board of Pharmacy", be amended by adding at the end of 942. Sec. 7. thereof the following new paragraphs:

Except in stores in which a pharmacist or assistant pharmacist is on duty at all times the store is open for business, the owner of the business or the pharmacist making application for a permit to conduct a pharmacy must agree to place his entire stock of prescription drugs, chemicals and preparations used in compounding medicines and prescriptions, including all poisons, narcotic drugs, hypnotic drugs and all opened package drugs, liquids, tablets, pills, or preparations of whatever character the dispensing or sale of which is restricted to a registered pharmacist, or an assistant pharmacist, in a room or adequately partitioned-off section of the pharmacy or store room, which room or section must be provided with a door or doors which can be locked when the store is without the attendance and supervision of a pharmacist or assistant pharmacist.

The pharmacist or assistant pharmacist in charge of the pharmacy to which the provisions of this Act are applicable shall at all times carry the key or keys to such prescription department.

STATE BOARD OF PHARMACY
PROVIDING METHOD FOR KEEPING DRUGS

Nothing herein contained shall be construed to prevent the use of the balance of the store for the sale of other merchandise when the said room or partitioned-off section shall be closed and locked as provided for herein.

When the above requirements are faithfully complied with, it will be lawful for the pharmacist or assistant pharmacist in charge of such pharmacy to be absent from the pharmacy without the necessity of closing the merchandising section of the store. During such absence the prescription room or partitioned-off section must be locked up until the return of the pharmacist or assistant pharmacist to duty, and a conspicuous sign with letters not less than three inches in height, reading **PRESCRIPTION LABORATORY TEMPORARILY CLOSED, NO PROFESSIONAL SERVICES RENDERED**, must be posted in the front section of the store or in front of said prescription room or partitioned-off section where it can be seen by the public.

If the prescription department of any store having a permit to conduct a pharmacy shall be closed for more than fourteen consecutive days, the Board of Pharmacy shall have the right to revoke the pharmacy permit that had been granted to said store, unless it be shown to said Board that the closing of said prescription department was due to a cause satisfactory to the State Board of Pharmacy.

The State Board of Pharmacy shall have the power to enforce the provisions of this Chapter and shall make rules and regulations for their enforcement.

Approved April 3, 1947.

CHAPTER 143

STATE BOARD OF PHARMACY

REGISTRATION AND CERTIFICATION OF APPRENTICES

AN ACT TO AMEND CHAPTER 28 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED, "STATE BOARD OF PHARMACY", WITH REFERENCE TO REGISTRATION AND CERTIFICATION OF APPRENTICES IN A REGISTERED PHARMACY OR DRUG STORE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House agreeing thereto):

Section 1. That Chapter 28 of the Revised Code of Delaware, 1935, as amended, be further amended by adding after 956 D. Sec. 25. a new section to be designated 956 E. Sec. 26., as follows:

956 E. Sec. 26. Apprentice in Pharmacy or Drug Store; Qualifications, Registration and Certification; Duty of Pharmacist, Employer and the State Board of Pharmacy; Authority of Apprentice; Experience Required; Experience Gained in Other States; Penalty for Violations; Jurisdiction of Courts:—That on and after the approval of this Act every person who shall enter a pharmacy or drug store with the intention of becoming a pharmacist shall make application to The State Board of Pharmacy on a form furnished by it for registration and certificate as registered apprentice. The fee for such registration and certificate shall be Three Dollars (\$3.00), which sum shall accompany the application.

It shall be the duty of any registered pharmacist or other employer who takes into his or its employ an apprentice for the purpose of becoming a pharmacist, to require such person to apply to The State Board of Pharmacy for registration as apprentice; and for failure to see that every apprentice employed by him or it is registered, such registered pharmacist or other employer shall be liable as for a violation of this Act.

STATE BOARD OF PHARMACY

REGISTRATION AND CERTIFICATION OF APPRENTICES

Every applicant for apprentice registration must be at least sixteen years of age. The State Board of Pharmacy shall establish the preliminary educational qualifications and furnish upon request proper blanks for the purpose of registration and the issuance of a certificate.

A certificate shall be issued to the applicant in all cases where the said Board is satisfied with the qualifications of the applicant and with said applicant's compliance with all rules and regulations of the Board.

Any person who may have served part of his apprenticeship in any other state not requiring such registration shall be obliged to give proof of such service satisfactory to The State Board of Pharmacy.

Time spent as an apprentice in the employ of a retail pharmacy prior to the passage and approval of this Act by a person then so employed shall be credited to the apprentice at the time of registration upon satisfactory proof of such service being furnished The State Board of Pharmacy.

A registered apprentice pharmacist shall have the right, in the presence and under the personal supervision of a pharmacist or assistant pharmacist, but not otherwise, to prepare or dispense recipes or prescriptions and to sell or furnish medicines or poisons.

The beginning of the term of practical experience required of applicants for registration as pharmacists shall be computed from the date of registration as apprentice.

Any person who shall make any false representation to procure registration for himself or any other person shall for each and every offense be liable to the penalty prescribed in this Act for any violation thereof.

Whoever shall be convicted of violating any of the provisions of this Act shall be fined not less than Five Dollars (\$5.00), nor more than Twenty-five Dollars (\$25.00) for each offense.

STATE BOARD OF PHARMACY**REGISTRATION AND CERTIFICATION OF APPRENTICES**

Any Justice of the Peace of the State of Delaware, the Court of Common Pleas for New Castle County, the Court of Common Pleas for Kent County or the Municipal Court of the City of Wilmington, shall have jurisdiction of any offense arising under this Act; any person, firm or corporation convicted of such offense before any such Justice of the Peace or before any of the Courts mentioned herein, shall have the right to appeal to the Court of General Sessions in and for the County in which said conviction was had, upon giving bond in the sum of Two Hundred Dollars (\$200.00) to the State of Delaware with surety satisfactory to the said Justice of the Peace or Judge of any of the Courts herein named, in which said person was convicted, provided that appeal shall be taken and bond given within three days from the time of said conviction.

Approved April 3, 1947.

CHAPTER 144

STATE REVENUE

LICENSE FEE PAID BY RATING ORGANIZATIONS

**AN ACT TO AMEND ARTICLE 5 OF CHAPTER 6 OF THE
REVISED CODE OF DELAWARE, 1935, RELATING TO
STATE REVENUE BY PROVIDING FOR A LICENSE
FEE TO BE PAID BY RATING ORGANIZATIONS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That 86. Sec. 52. of Article 5 of Chapter 6 of the
Revised Code of Delaware, 1935, be and the same is hereby
amended by adding at the end of said 86. Sec. 52. the following:

For every license issued to a rating
organization \$100.00

Approved April 3, 1947.

CHAPTER 145

STATE REVENUE

DETERMINATION OF GAIN OR LOSS IN SELLING REAL ESTATE

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "STATE REVENUE", WITH REFERENCE TO THE DETERMINATION OF AMOUNT OF GAIN OR LOSS IN THE SALE OF REAL PROPERTY USED AS A DWELLING OF THE SELLER.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 6 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding at the end of 150. Sec. 116. thereof the following sentence:

"In the event of the sale of real property which has been used as the dwelling of the seller the gain or loss shall be the difference between the cost to the taxable in acquiring the property and the net amount received from the sale."

Section 2. This Act shall apply to real estate sold during the calendar year beginning January 1, 1946 and ending December 31, 1946 and, also, all subsequent years.

Approved April 3, 1947.

CHAPTER 146

STATE REVENUE

EXEMPTING UNITED SERVICE ORGANIZATION CONTRIBUTIONS
FROM TAXES

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, PROVIDING THAT CONTRIBUTIONS TO THE UNITED SERVICE ORGANIZATIONS, INC., DURING THE YEAR 1947 SHALL BE ALLOWED AS DEDUCTIONS FOR INCOME TAX PURPOSES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 6 of the Revised Code of Delaware, 1935, as amended by Chapter 10, Volume 45, Laws of Delaware, be and the same is hereby further amended by adding to Section 7 Paragraph 5 (a) thereof a new sentence to read as follows:

"Contributions made in the year 1947 to the United Service Organizations, Inc., a corporation organized for the benefit of the Armed Forces of the United States, shall be allowed as deductions from income for income tax purposes in the same manner and to the same extent as if said United Service Organizations, Inc., were and is a charitable organization located in the State of Delaware and said contributions shall be deemed to be and shall be allowed as deductions for use in the State of Delaware only."

Section 2. That all acts or parts of acts inconsistent with this Act are hereby repealed to the extent of such inconsistency only.

Approved April 3, 1947.

CHAPTER 147

FISH, OYSTERS AND GAME

PROHIBITING HUNTING FROM VEHICLES SETTING TIME FOR KILLING MUSKRATS

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO FISH, OYSTERS AND GAME BY MAKING IT UNLAWFUL TO SHOOT AT OR KILL BIRDS OR ANIMALS WHILE HUNTER IS IN A VEHICLE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 2828. Sec. 27. thereof and inserting and enacting in lieu thereof the following:

2828. Sec. 27. Hunting or Shooting from Farm Machinery and Moving Vehicles, Night Hunting; Prohibited:—It shall be unlawful for any person to shoot at or kill any birds or animals protected by the laws of this State by means of any firearms at any time or place while such person is the occupant of any motor vehicle or is riding in or upon any piece of farm machinery.

It shall be unlawful to pursue, catch, take or kill any birds or animals protected by the laws of this State, except frogs, muskrats, raccoons, opossums, skunks, minks, otters and foxes between one hour after sunset of one day and one hour before sunrise of the following day. It shall be unlawful to shoot muskrats within the hours named in this Section.

Approved April 3, 1947.

CHAPTER 148

FISH, OYSTERS AND GAME

OYSTER PLANTING

AN ACT TO AMEND CHAPTER 74 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO FISH, OYSTERS AND GAME; BY THE REPEAL OF 2963. SEC. 162., PERTAINING TO TERRITORY, CHARTERS AND RIGHTS OF CERTAIN OYSTER PLANTING ETC. COMPANIES AND THEIR EXEMPTION FROM GENERAL LAW.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 2963. Sec. 162. thereof.

Approved April 3, 1947.

CHAPTER 149

COLLECTOR OF OYSTER REVENUE

CATCHING AND TAKING OF OYSTERS IN BROADKILN RIVER

AN ACT TO AMEND CHAPTER 152, VOLUME 44, LAWS OF DELAWARE, RELATING TO THE CATCHING AND TAKING OF OYSTERS FROM BROADKILN RIVER AND ITS TRIBUTARIES BY PROVIDING FOR THE AMOUNTS TO BE PAID TO THE COLLECTOR OF OYSTER REVENUE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 152, Volume 44, Laws of Delaware, as amended, be and the same is hereby further amended by striking out and repealing all of Section 3 thereof and enacting and inserting in lieu thereof the following, to wit:

Section 3. Any person or persons who shall catch or take any oysters from said Broadkiln River or its tributaries shall pay at the time said oysters are sold a tax of Three Cents (\$.03) per bushel which said tax shall be charged to and received by said seller from the purchaser thereof.

Approved April 3, 1947.

CHAPTER 150

OYSTERS

DECREASING AMOUNT OF OYSTERS PERMISSIBLE TO TAKE IN
BROADKILN RIVER

**AN ACT TO AMEND CHAPTER 152, VOLUME 44, LAWS OF
DELAWARE, AS AMENDED, RELATING TO OYSTERS
BY PROVIDING FOR DECREASE IN BUSHELS OF OYS-
TERS PERMISSIBLE TO TAKE IN BROADKILN RIVER.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 152, Volume 44, Laws of Delaware, as amended, be and the same is hereby further amended by striking out Section 2 thereof and enacting and inserting in lieu thereof the following, to wit:

Section 2. No boat shall take or catch more than fifteen (15) bushel of oysters from said Broadkiln River or its tributaries in any one day provided that there shall be an allowance of twenty per cent (20%) of the total catch made for waste.

Approved April 3, 1947.

CHAPTER 151

DEPARTMENT OF ELECTIONS FOR KENT COUNTY

REGISTRATION OF PERSONS IN THE ARMED FORCES

AN ACT TO AMEND CHAPTER 148, VOLUME 45, LAWS OF DELAWARE, ENTITLED, "DEPARTMENT OF ELECTIONS FOR KENT COUNTY", WITH REFERENCE TO THE REGISTRATION OF PERSONS IN THE ARMED FORCES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 36, Chapter 148, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out of the first paragraph of the said Section the words, "on the third Saturday" where they appear in the third line from the end of said paragraph, and by substituting in lieu thereof the words, "ten days".

Section 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistencies.

Approved April 3, 1947.

CHAPTER 152

REGISTRATION OF VOTERS

PROVIDING MEANS OF TRANSFER

AN ACT TO AMEND CHAPTER 56 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "REGISTRATION OF VOTERS", TO PROVIDE FOR A MEANS OF TRANSFER OF REGISTRATION, AND OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1719. Sec. 14, Chapter 56, of the Revised Code of the State of Delaware, 1935, as amended, be and the same is hereby amended by striking out and repealing all of the said Section and by substituting in lieu thereof a new Section to be known as 1719. Sec. 14. as follows:

1719. Sec. 14. Removal from District After Registration; Transfer of Registration to District of Residence; When; Entries Upon Application for Removal; Transfer Required County to County; Notice of Change of Address Within Election District Required; When; How; Notice of Change of Name Required; When; How:—If any person registered as a registered voter in any election district in this State, shall after he is so registered, remove from the election district in which he is so registered to any other election district within the same County, he shall apply in person to the Bureau or Department having custody of the registration books in the County in which he shall at the time reside, to have his registration transferred to his new address by making and signing an "Application for Transfer of Registration" upon form "No. 100", as hereinafter described and furnished by such Bureau or Department upon application.

Such application for transfer of registration shall be made at the office of the said Bureau or Department by appearing personally when the Bureau or Department shall sit for the purpose of registering persons qualified to enjoy the privilege of an elector.

REGISTRATION OF VOTERS

PROVIDING MEANS OF TRANSFER

Persons may also apply for transfer of registration to the registration officers in the election district in which the applicant shall reside at the time the application is made; such application shall be made, by personally appearing before the said registration officers and by making and signing an "Application for Transfer of Registration" upon the form, as in this Section described. Application for transfer of registration when made to the Registration officers shall be made at the place, on a day and during the hours when such Registration Officers shall sit for the purpose of registering persons in accordance with the provisions of this Chapter.

Whenever any elector applies for transfer of registration he shall be required, before his name is entered in the "Registers and Books of Registered Voters" to personally make, sign and file, an "Application for Transfer of Registration" with the registration officer of his election district or the Bureau or Department for the County in which he shall then reside, and it shall then be lawful for him to cause his name to be registered in the election district to which he may have removed, provided that by the next following general election he will have acquired in the election district to which he has moved, and in the County, if the removal has been to another County, the residence required by the Constitution. It shall be unlawful for any Registration Officer, Member of Bureau of Registration or Department of Elections or any person deputed to make registration, to transfer the registration of any elector to any other election district unless such person has made, signed and presented the "Application for Transfer of Registration" in the manner and form as herein described.

All persons who shall apply at the office of the Bureau of Registration for New Castle County or at the office of the Department of Elections for Kent County or at the office of the Department of Elections for Sussex County for registration or transfer of registration, may be examined under oath or affirmation, as to their name, age, address and qualifications as a voter and right as such to register and vote in the election district in which they claim residence; if satisfied upon such examination

REGISTRATION OF VOTERS

PROVIDING MEANS OF TRANSFER

that the person applying for transfer is in fact qualified to register and vote in such election district such person shall be registered in such election district by the Registration Officers or such other person qualified to make registrations, by making entries in the "Registers and Books of Registered Voters" for such election district in accordance with the provisions of Section 9 and Section 11 of this Chapter.

Upon acceptance of an "Application for Transfer of Registration" at their office or upon receipt of an "Application for Transfer of Registration" from Registration Officers, it shall be the duty of the Bureau of Registration for New Castle County or the Department of Elections for Kent County or the Department of Elections for Sussex County or persons deputized by them respectively, to examine the "Registers" and "Books of Registered Voters" for the election district where the applicant formerly resided and to strike his registration from the said "Registers" and "Books of Registered Voters" by drawing a line in ink, through his name and all entries opposite the name of the applicant, and in the column headed "Remarks" shall enter "removed from this election district into election district No., Ward No., Representative District No., of County, and shall notify such person by mail (on form 101), "Notice of Transfer of Registration", that his name has been stricken from the "Registers" and "Books of Registered Voters" for the election district in which he formerly resided and that his name has been entered as a registered voter in the "Registers" and "Books of Registered Voters" for the election district in which he then resides.

Striking names from the "Registers" and "Books of Registered Voters", as in this Section provided, shall be done during a period when such registration books are in the custody of the Bureau of Registration or Department of Elections, as the case may be.

All applications for Transfer of Registration must be properly made and signed by the applicant. The Registrar at the places indicated on the forms shall enter the County, the number of the election district, the number of the Representative District

REGISTRATION OF VOTERS

PROVIDING MEANS OF TRANSFER

and the date when application was received by him; the application shall also be signed by the Registrar and the Assistant Registrar.

It shall be the duty of the Registrar in each election district in this State, within three days after each registration day, to personally deliver or send by mail to the Bureau or Department issuing the aforementioned transfer forms in his County, all "Applications for Transfer of Registration" received by him, properly made and signed by an applicant and signed by the registration officers as herein directed.

All used and unused "Applications for Transfer of Registration" in their possession shall be delivered by the Registrars to the respective Bureau or Department within three days after the last registration day held in any election district in each year.

If any person, having been previously registered in any election district in this State, shall by his removal therefrom have attained a legal residence, as required by the Constitution of this State, in any election district in any other County of this State, it shall be lawful for such person to register as a qualified voter in such other election district in such other County at any registration, subsequent to his aforesaid previous registration by making, signing and filing an "Application for Transfer of Registration"; such "Application for Transfer of Registration" may be filed with the registration officers for the election district in which the person applying for registration shall then reside or with the Bureau or Department having custody of registration books in his said County. "Application for Transfer of Registration" shall be made and filed at such time or times as the registration officers or Bureau or Department shall sit for the purpose of registration, as in this Chapter provided.

Upon receipt of an "Application for Transfer of Registration", by a Bureau of Registration or Department of Elections, made by a person removing from one County to another County in this State, such Bureau or Department shall within three days thereafter mail the said "Application" to the Bureau or Department for the County wherein the applicant formerly resided, and

REGISTRATION OF VOTERS

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such Bureau or Department, upon receipt of such an "Application", shall cause the name and other particulars concerning such applicant to be stricken from the "Registers" and "Books of Registered Voters" for the election district in which he formerly resided, in the manner as described in this Section.

It shall be unlawful, knowingly to enter the name of any elector in the "Registers" and "Books of Registered Voters" who is registered in any other election district in this State unless such person has first made, signed and filed an "Application for Transfer of Registration", as in this Section provided.

The aforesaid "Application for Transfer of Registration" (form 100), shall be prepared in a book, containing not less than one hundred blank forms, and may be according to the following form.

| | | |
|---|--|------------|
| (Title of Bureau or Dept.) | | (Form 100) |
| APPLICATION FOR TRANSFER OF REGISTRATION | | |
| I hereby make application for transfer of my registration | | |
| FROM: | | |
| (Former Address) Number Street-Road, City-Town, R. D. County | | |
| TO PRESENT ADDRESS: | | |
| Number Street-Road, City-Town, R. D. County | | |
| I MOVED ON: | | |
| Date | Month | Year |
| (SIGNED) | | |
| (If name has been changed since last registering, print former name here) | | |
| <p>This space for office use only.</p> <p style="text-align: center;">Transferred</p> <p>From E. D. No. R. D. No.</p> <p>To E. D. No. R. D. No.</p> <p>Date</p> | <p>The name of the above signed person has been entered in the Registers and Books of Registered Voters for,</p> <p>Election Dist. No., Ward No.</p> <p>Repr. Dist. No.</p> <p style="text-align: right;">.....Registrar.</p> <p style="text-align: right;">.....Asst. Reg.</p> <p style="text-align: right;">.....Asst. Reg.</p> <p style="text-align: center;">Date.</p> | |
| | | |
| This form when properly made and signed must be returned by the Registrar to the Bureau or Department within three days after each registration day | | |

**REGISTRATION OF VOTERS
PROVIDING MEANS OF TRANSFER**

The "Notice of Transfer of Registration" (form 101) shall be substantially as follows:

| | |
|--|------------------|
| (Title of Bureau or Dept.) | (Form 101) |
| NOTICE OF TRANSFER OF REGISTRATION | |
| NAME, | |
| ADDRESS, | |
| <p>This is to notify you that your registration has been transferred to Election District No....., Ward No....., Representative District No....., County of....., and that your name has been stricken from the registration books for the district in which you formerly resided.</p> | |
| <p>If either name or address is incorrect notify this office.</p> | |
|(Secretary). |(President) |

In all cases where written notice is required by this Section to be given to any person, such notice shall be deemed sufficient if sent First Class Mail, addressed to the person to be notified at the Post Office address named by him at the time of his application for registration.

Change of address or residence within the same election district shall not disqualify any person as a voter in such election district; however, such persons shall be required, not later than the last registration day preceding the next election to personally notify the registration officers for the election district in which such person resides, or the Bureau or Department having custody of the registration books in their County of such change of address or residence. If such change of address shall take place during a period when said change of address cannot be made in the district registration books, such elector shall, upon proper identification, be permitted to vote if he is otherwise qualified.

REGISTRATION OF VOTERS

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Any registered voter who changes his or her name by marriage or otherwise, shall be required to register anew and authorize the cancellation of the previous registration; provided, however, that if the change of name takes place within a period during which new registrations cannot be made, the elector shall be permitted to vote at the next succeeding election, if otherwise qualified.

The provisions of this Section shall be taken to be an exception to the provisions of Section 27 of this Chapter.

Section 2. That all Acts or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed to the extent of such inconsistency.

Approved April 3, 1947.

REGISTRATION OF VOTERS

PROVIDING MEANS OF TRANSFER

The "Notice of Transfer of Registration" (form 101) shall be substantially as follows:

| |
|--|
| (Title of Bureau or Dept.) (Form 101) NOTICE OF TRANSFER OF REGISTRATION NAME, ADDRESS, This is to notify you that your registration has been transferred to Election District No....., Ward No....., Representative District No....., County of....., and that your name has been stricken from the registration books for the district in which you formerly resided. If either name or address is incorrect notify this office.(Secretary). (President) |
|--|

In all cases where written notice is required by this Section to be given to any person, such notice shall be deemed sufficient if sent First Class Mail, addressed to the person to be notified at the Post Office address named by him at the time of his application for registration.

Change of address or residence within the same election district shall not disqualify any person as a voter in such election district; however, such persons shall be required, not later than the last registration day preceding the next election to personally notify the registration officers for the election district in which such person resides, or the Bureau or Department having custody of the registration books in their County of such change of address or residence. If such change of address shall take place during a period when said change of address cannot be made in the district registration books, such elector shall, upon proper identification, be permitted to vote if he is otherwise qualified.

REGISTRATION OF VOTERS

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Any registered voter who changes his or her name by marriage or otherwise, shall be required to register anew and authorize the cancellation of the previous registration; provided, however, that if the change of name takes place within a period during which new registrations cannot be made, the elector shall be permitted to vote at the next succeeding election, if otherwise qualified.

The provisions of this Section shall be taken to be an exception to the provisions of Section 27 of this Chapter.

Section 2. That all Acts or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed to the extent of such inconsistency.

Approved April 3, 1947.

CHAPTER 153

ELECTIONS

RETURN OF REGISTRATION BOOKS BY INSPECTORS

AN ACT TO AMEND CHAPTER 60 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "GENERAL ELECTIONS", TO PROVIDE FOR THE RETURN OF REGISTRATION BOOKS AND OTHER PARAPHERNALIA BY INSPECTORS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 62, Chapter 60, of the Revised Code of The State of Delaware, 1935, as amended, be and the same is hereby amended by striking out and repealing the last paragraph of said Section.

Section 2. That Section 63, Chapter 60, of the Revised Code of The State of Delaware, 1935, as amended, be and the same is hereby further amended by adding two new paragraphs at the end of the said Section, to be as follows:

Each inspector or other officer authorized by law to hold the election shall also on the day next after the General Election, deliver into the office of the said Department of Elections in his County, all unused paraphernalia and supplies not required by law to be destroyed including envelopes, rubber bands, pencils, rubber stamps, pads, blank forms, and Bibles, required to be furnished to him by law to be used in connection with such election, and the said Departments of Elections shall severally keep and preserve such paraphernalia and supplies so returned and all other unused paraphernalia and supplies in their hands and possession for use at the next or succeeding General Election or elections so far as the same shall be practicable and appropriate.

Each inspector or other person authorized by law to hold the election shall, not later than the day next after an election, deliver into the office of the Bureau or Department having cus-

ELECTIONS

RETURN OF REGISTRATION BOOKS BY INSPECTORS

tody of registration books in his County the two "Registers" and the two "Books of Registered Voters" delivered to him by the Registrar as provided in Section 22, Chapter 56 of the Revised Code of Delaware.

Section 3. That all Acts or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed to the extent of such inconsistency.

Approved April 3, 1947.

CHAPTER 154

ELECTIONS

PROVIDING A METHOD FOR COUNTING BALLOTS

AN ACT TO AMEND CHAPTER 60 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, ENTITLED, "GENERAL ELECTIONS", BY PROVIDING A METHOD FOR COUNTING BALLOTS AT ELECTIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1864. Sec. 55, Chapter 60, of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of the said Section and by substituting in lieu thereof a new Section as follows:

1864. Sec. 55. **Method of Counting Votes; Account, How Kept; Counting to be Uninterrupted:**—When the election shall be closed, the Inspector shall openly and publicly unlock the box containing the ballots, and shall remove the lid so far that the envelopes containing the ballots can be taken separately from the box. The Inspector shall keep in his custody the said box, and shall publicly, and in the presence of the Judges and such of the electors as shall think proper to be present, take the envelopes containing the ballots one by one from the box, and remove the ballot from the envelope. The ballots shall be read and counted as follows: one of the Judges shall open the ballots and place in separate piles all those ballots which are properly marked so as to vote for all the candidates on a particular ticket (usually called straight tickets); ballots which do not correspond with the (straight tickets), that is, those ballots containing cross (x) marks indicating the desire of the elector to vote part of one ticket and part of another ticket, usually called a "split ticket", and those ballots from which the name or names of any candidates have been scratched, usually called a "cut ticket", shall be placed together in a separate pile. Each of the Judges shall then examine the separate piles which are, or supposed to be, alike, and shall exclude from such pile any ballot incorrectly placed therein which does not correspond in names and markings with

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the other ballots in such pile. One of the Judges shall then take ten ballots from one pile of the straight ballots and carefully examine each name on each ballot; such Judge shall then pass the ten ballots to the other Judge who shall examine them and count them in the same manner and shall then pass them to the Inspector who shall examine them and count them in the same manner; the Inspector shall then call the names of the persons named on the ten ballots and the offices for which they are designated and the Poll Clerks shall tally ten votes for each of such persons; the said Judges and Inspector shall go through the several such piles of straight ballots and shall count them by tens in the same manner and shall call the names of the persons named in said ballots for the office for which they are designated. The Poll Clerks shall tally the votes by tens for each of such persons in the same manner as in the first instance. When the counting of each pile of straight ballots is completed, the Poll Clerks shall compare their tallies together and ascertain the total number of votes received by each candidate for a particular office and when they agree upon the number, the Clerks shall announce it to the Inspector and Judges. The Inspector and Judges shall then canvass the ballots which do not correspond, that is, those containing names voted partly from one ticket and partly from another ticket, herein designated "split tickets", and those from which names have been scratched, herein designated "cut tickets". Such ballots shall be canvassed separately; each of the Judges shall examine each such ballot and shall then pass it to the Inspector who shall examine it and if found to be properly voted, the Inspector shall then call each name to the Poll Clerks and the office for which it is designated, and the Poll Clerks shall make a tally of the same. When all the ballots have been canvassed as provided herein, the Poll Clerks shall again compare their tallies together and ascertain the total number of votes received by each candidate and when they agree they shall announce to the Inspector and Judges the total number of votes received by each candidate for each office.

The two Poll Clerks shall keep accurate count of the ballots as they are read and counted, which shall be done on the tally

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sheets, by writing the name of every person voted for in the margin under a designation of the office for which the vote is given to him, and making a distinct mark with a pen in the squares in the row against such name for every vote such person shall receive for the same office, and each square, when full, shall contain five marks; and each clerk shall, upon hearing the name, repeat it with the number of marks in the row, pronouncing at the last mark in each square "tally" and at the first mark of the succeeding square, "one on the new"; if the same person shall be voted for for two different offices, his name shall be written in the margin for each office, and a just count kept of the votes given to him for each office. The reading and counting of votes shall be continued, without interruption or adjournment, until completed.

Section 2. That 1859. Sec. 50, Chapter 60, of the Revised Code of Delaware, 1935, be and the same is hereby amended by repealing the last paragraph of said Section.

Section 3. That all Acts or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed to the extent of such inconsistency.

Approved April 3, 1947.

CHAPTER 155

GEORGETOWN

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE TOWN OF GEORGETOWN", BEING CHAPTER 166, VOLUME 43, LAWS OF DELAWARE, BY AUTHORIZING THE TOWN COUNCIL OF GEORGETOWN TO RAISE BY TAXATION A SUM NOT IN EXCESS OF THIRTY THOUSAND DOLLARS YEARLY TO CARRY ON THE GOVERNMENT OF THE TOWN AND DEFRAY THE EXPENSES THEREOF.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House thereof concurring therein):

Section 1. That Section 12 of Chapter 166, Volume 43, Laws of Delaware, be and the same is hereby amended by striking out the ninth paragraph appearing in said Section and by inserting in lieu thereof the following paragraph:

In furtherance and not in limitation of any existing Act empowering the Town Council to raise money by taxation, the Council shall have power and authority to raise by taxation a sum not exceeding Thirty Thousand Dollars (\$30,000.00) yearly to carry on the government of the Town and defray the expenses thereof, in addition to the amount raised by sewer rentals as hereinafter provided.

Approved April 3, 1947.

CHAPTER 156

OCEAN VIEW

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE", THE SAME BEING CHAPTER 649, VOLUME 18, LAWS OF DELAWARE, AS AMENDED BY REDUCING THE NUMBER OF PERSONS ON THE TOWN COUNCIL.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch of the General Assembly concurring therein):

That Section 2, Chapter 649, Volume 18, Laws of Delaware, be, and the same is hereby, amended by striking out and repealing the first two sentences of the said Section 2, and by substituting in lieu thereof the following language:

"Section 2. There shall be a Council of the Town of Ocean View to be composed of three members, one of whom shall be elected president of said council for the term of one year and until his successor shall be elected. The town council shall be reduced from nine members, as has heretofore been required, by simply electing one person at each election hereafter, instead of electing three members as were heretofore required, and by filling no vacancies on the town council, whether by death, resignation or for incapability, so long as there is at least one member elected for one year, at least one member for two years, and at least one member for three years. Thus the city council will gradually be reduced over a period which may be as long as three years until the members of the council are three in number. Thereafter the number shall remain the same."

Approved April 3, 1947.

CHAPTER 157

OCEAN VIEW

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE", THE SAME BEING CHAPTER 649, VOL. 18, LAWS OF DELAWARE, AS AMENDED, BY INCREASING THE AMOUNT OF MONEY WHICH MAY BE RAISED EACH YEAR BY TAXATION.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to both Houses concurring therein):

Section 1. That Chapter 649, Volume 18, Laws of Delaware, be, and the same is hereby, amended by striking out the first sentence of Section 23, as it was amended by Chapter 126, Volume 35, Laws of Delaware, and by substituting in lieu thereof the following:

Section 23. The Council of said town shall have the right to raise by taxation such sums of money as it shall deem necessary, which shall in no single year exceed Five Thousand Dollars (\$5,000.00).

Approved April 3, 1947.

CHAPTER 158

DELAWARE COMMISSION FOR FEEBLE MINDED
AUTHORIZING ADDITIONS TO BUILDINGS AND EQUIPMENT

AN ACT AUTHORIZING THE DELAWARE COMMISSION FOR THE FEEBLE MINDED TO EXPEND MONEY APPROPRIATED TO SAID COMMISSION BY CHAPTER 26, VOLUME 44, LAWS OF DELAWARE, 1943, FOR THE PURPOSE OF MAKING ADDITIONS TO PRESENT BUILDINGS AND/OR PURCHASE NEW EQUIPMENT.

WHEREAS, by the provisions of Chapter 26, Volume 44, Laws of Delaware, 1943, an appropriation was made to the Delaware Commission for the Feeble Minded to erect and construct and equip a building or rooms at the State Institution for the Feeble Minded at Delaware Colony, to be used in connection with the training, discipline and correction of unruly residents; and

WHEREAS, bids received for the erection of the proposed building greatly exceeded the amount so appropriated for the purposes mentioned; and

WHEREAS, the Delaware Commission for the Feeble Minded used a portion of said money so appropriated to equip rooms at said institution, which are now used in connection with the training, discipline and correction of unruly residents; and

WHEREAS, there remains in the State Treasury to the credit of the Delaware Commission for the Feeble Minded the sum of Seven Thousand Seven Hundred Sixty-four Dollars and Seventeen Cents (\$7,764.17), said balance being the unused portion of said money appropriated as aforesaid; and

WHEREAS, there is great need for additions to present buildings and new equipment at the State Institution for the Feeble Minded at Delaware Colony; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Delaware Commission for the Feeble Minded is hereby authorized and empowered to expend out of the

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appropriation to the said Commission made by Chapter 26, Volume 44, Laws of Delaware, 1943, as aforesaid, such sum or sums as may be necessary to erect additions to the present buildings and/or purchase new equipment.

Section 2. The amounts made available to the Delaware Commission for the Feeble Minded under the provisions of this Act shall be paid out by the State Treasurer upon warrant or warrants duly approved by said Commission.

Section 3. No part of the appropriations made by Chapter 26, Volume 44, Laws of Delaware, 1943, and hereby made available to the Delaware Commission for the Feeble Minded for the purposes herein stated shall revert to the General Fund of the State Treasury on the first day of July, A. D. 1947, but the same shall remain available to the said Delaware Commission for the Feeble Minded until the purposes of Chapter 26, Volume 44, Laws of Delaware, 1943, and this Act have been fully carried out and completed.

Approved April 3, 1947.

CHAPTER 159

PUBLIC ARCHIVES COMMISSION

ACQUISITION OF CERTAIN FEDERAL PUBLIC RECORDS

AN ACT TO AMEND CHAPTER 36, REVISED CODE OF DELAWARE, 1935, AS AMENDED, TO ENABLE THE PUBLIC ARCHIVES COMMISSION OF THE STATE OF DELAWARE TO ACQUIRE CERTAIN FEDERAL PUBLIC RECORDS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 36, Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding at the end of 1086. Sec. 3. thereof a new Section to be designated 1086C. Sec. 3C. thereof, as follows:

1086C. Sec. 3C. That the Public Archives Commission of the State of Delaware shall be authorized and empowered by this Act to acquire and take into its protective custody, subject to the rules, regulations and acts governing the said Commission, such public records in the custody of the Government of the United States of America as may relate to the State of Delaware. The provisions of this Act have particular reference to the Selective Service records pertaining to Delaware, but early naturalizations, court proceedings and similar records may be acquired at the discretion of the Public Archives Commission or its qualified agent.

Agents of the Federal Bureau of Investigation are assured access to such Federal records which may be transferred under this Act and the State Archivist shall grant access to such records to other qualified Federal employees upon presentation of proper identification.

Section 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed so far as such inconsistencies exist.

Approved April 3, 1947.

CHAPTER 160

LIMITING THE PRICE TO BE PAID FOR MOTOR VEHICLES
BY STATE DEPARTMENTS

AN ACT TO AMEND CHAPTER 16 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "AUDITOR OF ACCOUNTS", BY LIMITING THE PRICE WHICH MAY BE PAID FOR PASSENGER MOTOR VEHICLES BY STATE DEPARTMENTS, BOARDS OR COMMISSIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 16 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 445. Sec. 34. thereof and by inserting and enacting in lieu of the part so stricken out a new 445. Sec. 34. as follows:

445. Sec. 34. Passenger Motor Vehicles; Initial Cost Not to Exceed Eighteen Hundred Dollars; When:—On and after the passage and approval of this Act, no Department, Board or Commission of the State of Delaware shall purchase and pay for out of State funds any passenger motor vehicle to be used by such Department, Board or Commission, or by any of its officers or employees, for State purposes, when the initial cost of any such vehicle shall exceed Eighteen Hundred Dollars, including the fair value or values of any motor vehicle or motor vehicles traded in as a part of a particular transaction.

Approved April 3, 1947.

CHAPTER 161

INSURANCE DEPARTMENT

REGULATION AND CONTROL OF RATES AND RATING ORGANIZATIONS

AN ACT TO AMEND CHAPTER 20 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO THE INSURANCE DEPARTMENT BY PROVIDING FOR THE REGULATION AND CONTROL OF INSURANCE RATES AND RATING ORGANIZATIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 20 of the Revised Code of Delaware, 1935, as amended be and the same is hereby further amended by the addition of another Article (eleven) to the said Chapter 20, to be designated as follows:

ARTICLE 11

Rates and Rating Organizations:

Regulation and Control.

Section 2. That Chapter 20 of the Revised Code of Delaware, 1935, as amended be and the same is hereby further amended by the addition of the following Sections under Article 11, to wit:

567Q. Sec. 123. **Purpose of Rate Regulation and Control:**—The purpose of this Article is to promote the public welfare by regulating insurance rates (in accordance with the intent of Congress as expressed in Public Law 15—79th Congress) and to the end that they shall not be excessive, inadequate or unfairly discriminatory, and to authorize and regulate cooperative action among insurance companies in rate making and in other matters within the scope of this Article. Nothing in this Article is intended (1) to prohibit or discourage reasonable competition, or (2) to prohibit, or encourage except to the extent necessary to accomplish the aforementioned purpose, uniformity in insurance rates, rating systems, rating plans or practices. This Article shall be liberally interpreted to carry into effect the provisions of this Section.

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567R. Sec. 124. **Scope of Article:**—This Article applies to

(1) Casualty insurance in all forms and considered as such in the generally accepted trade sense, including workmen's compensation, fidelity, surety and guaranty bonds, and all forms of motor vehicle insurance, on risks or operations in this state;

(2) Fire, marine and inland marine insurance, as used in their generally accepted trade sense, on risks located in this state. Inland marine insurance shall be deemed to include insurance as now or hereafter defined by statute, or by ruling of the Insurance Commissioner.

This Article shall not apply to

(1) Reinsurance other than exceptions stated in Section 133.

(2) Accident and Health Insurance, except as covered in Section 139 of this Article.

(3) Insurance of air-borne or water-borne vessels or craft, their cargoes, legal liability of aircraft operators, marine protection and indemnity, or other risks commonly insured under aviation or marine, as distinguished from inland marine, insurance policies.

(4) Life Insurance.

567S. Sec. 125. **Making of Rates:**—

(a) Rates shall be made in accordance with the following provisions:

1. Manual, minimum, class rates, rating schedules or rating plans, shall be made and adopted, except in the case of specific inland marine rates on risks specially rated.

2. Rates shall not be excessive, inadequate or unfairly discriminatory.

3. Due consideration shall be given to past and prospective loss experience within and outside this state, to the conflagration and catastrophe hazards, to a reasonable margin for underwriting profit and contingencies, to dividends, savings or unabsorbed premium deposits allowed or returned by insurance companies to

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their policy-holders, members or subscribers, to past and prospective expenses both country-wide and those specially applicable to this state, and to all other relevant factors within and outside this state; and in the case of fire insurance rates consideration shall be given to the experience of the fire insurance business during a period of not less than the most recent five year period for which such experience is available.

4. The systems of expense provisions included in the rates for use by any insurance company or group of insurance companies may differ from those of other insurance companies or groups of insurance companies to reflect the requirements of the operating methods of any such insurance company or group with respect to any kind of insurance, or with respect to any subdivision or combination thereof for which subdivision or combination separate expense provisions are applicable.

5. Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions, or both. Such standards may measure any differences among risks which may have a probable effect upon losses or expenses.

(b) Two or more insurance companies, who, by virtue of their business associations in the United States, represent themselves to be or are customarily known as an insurance company "group" or similar insurance trade designation, shall have the right to make the same filings or to use the same rates for each such insurance company subject to the provisions of subparagraphs 1, 2, 3, 4 and 5 of subsection (a) of this section; and nothing contained in this Article shall be construed to prohibit an agreement to make the same filings or use the same rates and concerted action in connection with such filings or rates by such insurance companies. This subsection shall not apply to two or more insurance companies who are not under the same common executive or general management or control and who act in concert in underwriting groups or pools.

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(c) Nothing in this section or in this Article shall abridge or restrict the freedom of contract between insurance companies and agents or brokers with respect to commissions or between insurance companies and their employees with respect to compensation.

(d) Nothing in this section shall be taken to prohibit as unreasonable or unfairly discriminatory the establishment of classifications or modifications of classifications or risks based upon size, expense, management, individual experience, purpose of insurance location or dispersion of hazard, or any other reasonable considerations provided such classifications and modifications apply to all risks under the same or substantially similar circumstances or conditions.

(e) Except to the extent necessary to meet the provisions of subdivision 2 of subsection (a) of this Section, uniformity among insurance companies in any matters within the scope of this Section is neither required nor prohibited.

567T. Sec. 126. Rate Filings:—

(a) Every insurance company shall file with the Insurance Commissioner, except as to inland marine risks which by general custom of the business are not written according to manual rates or rating plans, every manual, minimum, class rate, rating schedule or rating plan and every other rating rule, and every modification of any of the foregoing which it proposes to use. Every such filing shall state the proposed effective date thereof, and shall indicate the character and extent of the coverage contemplated. When a filing is not accompanied by the information upon which the insurer supports such filing, and the Insurance Commissioner does not have sufficient information to determine whether such filing meets the requirements of this Article he shall require such insurer to furnish the information upon which it supports such filing. The information furnished in support of a filing may include (1) the experience or judgment of the insurer or rating organization making the filing (2) its interpretation of any statistical data it relies upon (3) the experience of

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other insurers or rating organizations, or (4) any other relevant factors. A filing and supporting information shall be open to inspection by parties in interest after the filing becomes effective. Specific inland marine rates on risks specially rated, made by a rating organization, shall be filed with the Insurance Commissioner, and shall become effective when filed and shall be deemed approved and in compliance with the requirements of this Article until such time as the Insurance Commissioner rejects the filing.

(b) An insurance company may satisfy its obligation to make such filings by becoming a member of, or a subscriber to, a licensed rating organization which makes such filings, and by authorizing the Insurance Commissioner to accept such filings on its behalf; provided, that nothing contained in this Article shall be construed as requiring any insurance company to become a member of or a subscriber to any rating organization.

(c) The Insurance Commissioner shall review filings as soon as reasonably possible after they have been made in order to determine whether they meet the requirements of this Article. The filings shall be deemed to meet the requirements of this Article unless disapproved by the Insurance Commissioner.

(d) Any special filing with respect to a surety or guaranty bond required by law or by court or executive order or by order, rule or regulation of a public body, not covered by a previous filing, shall become effective when filed and shall be deemed to meet the requirements of this Article until such time as the Insurance Commissioner rejects the filing.

(e) Upon the written application of the insured, stating his reasons therefor, filed with and approved by the Insurance Commissioner, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

(f) Under such rules and regulations as he shall adopt the Insurance Commissioner may, by written order, suspend or modify the requirement of filing as to any kind of insurance, subdivision or combination thereof, or as to classes of risks, the rates

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for which cannot practicably be filed before they are used. Such orders, rules and regulations shall be made known to insurance companies and rating organizations affected thereby. The Insurance Commissioner may make such examination as he may deem advisable to ascertain whether any rates affected by such order meet the standards set forth in subdivision 2 of subsection (a) of Sec. 125.

(g) Beginning six months after the effective date of this Article no insurance company shall make or issue a contract or policy except in accordance with the filings which are in effect for said insurance company as provided in this Article or in accordance with subsections (e) or (f) of this Section. This subsection shall not apply to contracts or policies for inland marine risks as to which filings are not required.

567U. Sec. 127. Disapproval of Filings:—

(a) If within thirty days after a specific inland rate, a special surety or guaranty on a risk specially rated by a rating organization, subject to subsection (d) of Section 126, has become effective, the Insurance Commissioner finds that such filing does not meet the requirements of this Article or if upon review of any other filing, the Insurance Commissioner finds that the same does not meet the requirements of this Article, he shall, after a hearing held upon not less than ten days' written notice specifying the matters to be considered at such hearing, to every insurance company and rating organization which made such filing, issue an order specifying in what respects he finds that such filing fails to meet the requirements of this Article, and stating when, within a reasonable period thereafter, such filing shall be deemed no longer effective. Copies of said order shall be sent to every such insurance company and rating organization. Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order.

(b) Any person or organization in interest, aggrieved with respect to any filing which is in effect may make written application to the Insurance Commissioner for a hearing thereon,

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provided, however, that the insurance company or rating organization that made the filing shall not be authorized to proceed under this subsection. Such application shall specify the grounds to be relied upon by the applicant. If the Insurance Commissioner shall find that the application is made in good faith, that the applicant would be so aggrieved if his grounds are established, and that such grounds otherwise justify holding such a hearing, he shall, within thirty days after receipt of such application, hold a hearing upon not less than ten days' written notice to the applicant and to every insurer and rating organization which made such filing.

If, after such hearing, the Insurance Commissioner finds that the filing does not meet the requirements of this Article, he shall issue an order specifying in what respects he finds that such filing fails to meet the requirements of this Article, and stating when, within a reasonable period thereafter, such filing shall be deemed no longer effective. Copies of said order shall be sent to the applicant and to every such insurance company and rating organization. Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order.

(c) No manual of classifications, rules, rating plans, or any modification of any of the foregoing which establishes standards for measuring variations in hazards or expense provisions, or both, and which has been filed pursuant to Section 126 of this Article shall be disapproved if the rates produced meet the requirements of this Article.

567V. Sec. 128. Rating Organizations:—

(a) A corporation, an unincorporated association, a partnership or an individual, whether located within or outside this state, may make application to the Insurance Commissioner for license as a rating organization for such kinds of insurance, or subdivision or class of risk or a part or combination thereof as are specified in its application and shall file therewith (1) a copy of its constitution, its articles of agreement or association or its

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certificate of incorporation, and of its by-laws, rules and regulations governing the conduct of its business, (2) a list of its members and subscribers, (3) the name and address of a resident of this state upon whom notices or orders of the Insurance Commissioner or process affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization. If the Insurance Commissioner finds that the applicant is competent, trustworthy and otherwise qualified to act as a rating organization and that its constitution, articles of agreement or association or certificate of incorporation, and its by-laws, rules and regulations governing the conduct of its business conform to the requirements of law, he may issue a license specifying the kinds of insurance, or subdivision or class of risk or part or combination thereof for which the applicant is authorized to act as a rating organization. Every such application shall be granted or denied in whole or in part by the Insurance Commissioner within sixty days of the date of its filing with him. Licenses issued pursuant to this Section shall remain in effect for one year unless sooner suspended or revoked by the Insurance Commissioner. Licenses issued pursuant to this Section may be suspended or revoked by the Insurance Commissioner, after hearing upon notice, in the event the rating organization ceases to meet the requirements of this subsection. Every rating organization shall notify the Insurance Commissioner promptly of every change in (1) its constitution, its articles of agreement or association, or its certificate of incorporation, and its by-laws, rules and regulations governing the conduct of its business, (2) its list of members and subscribers and (3) the name and address of the resident of this state designated by it upon whom notices or orders of the Insurance Commissioner or process affecting such rating organization may be served.

(b) Subject to rules and regulations which have been approved by the Insurance Commissioner as reasonable, each rating organization shall permit any insurance company to be a subscriber to its rating services for any kind of insurance, subdivision, or class of risk or a part or combination thereof for which it is authorized to act as a rating organization. Notice of

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proposed changes in such rules and regulations shall be given to subscribers. Each rating organization shall furnish its rating services without discrimination to its subscribers. The reasonableness of any rule or regulation in its application to subscribers, or the refusal of any rating organization to admit an insurance company as a subscriber, shall, at the request of any subscriber or any such insurance company, be reviewed by the Insurance Commissioner at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber or insurance company. If the Insurance Commissioner finds that such rule or regulation is unreasonable in its application to subscribers, he shall order that such rule or regulation shall not be applicable to subscribers. If the rating organization fails to grant or reject an insurance company's application for subscribership within thirty days after it was made, the insurance company may request a review by the Insurance Commissioner as if the application had been rejected. If the Insurance Commissioner finds that the insurance company has been refused admittance to the rating organization as a subscriber without justification, he shall order the rating organization to admit the insurance company as a subscriber. If he finds that the action of the rating organization was justified, he shall make an order affirming its action.

(c) No rating organization shall adopt any rule the effect of which would be to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurance companies to their policyholders, members or subscribers.

(d) Cooperation among rating organizations or among rating organizations and insurance companies in rate making or in other matters within the scope of this Article is hereby authorized, provided the filings resulting from such cooperation are subject to all the provisions of this Article which are applicable to filings generally. The Insurance Commissioner may review such cooperative activities and practices and if, after a hearing, he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this Article, he may issue a written order specifying in what respects such

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activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this Article, and requiring the discontinuance of such activity or practice.

(e) Any rating organization may provide for the examination of its subscriber's policies, daily reports, binders, renewal certificates, endorsements or other evidences of insurance, or the cancellation thereof, and may make reasonable rules governing their submission. Such rules shall contain a provision that in the event any insurance company does not within sixty days furnish satisfactory evidence to the rating organization of the correction of any error or omission previously called to its attention by the rating organization, it shall be the duty of the rating organization to notify the Insurance Commissioner thereof. All information so submitted for examination shall be confidential.

(f) Any rating organization may subscribe for or purchase actuarial, technical or other services, and such services shall be available to all subscribers without discrimination.

567W. Sec. 129. **Deviations:**—Every subscriber to a rating organization shall adhere to the filings made on its behalf by such organization except that any such insurance company may make written application to the Insurance Commissioner for permission to file a deviation from the class rates, schedules, rating plans or rules respecting any kind of insurance, or class of risk within a kind of insurance, or combination thereof. Such application shall specify the basis for the modification and a copy thereof shall also be sent simultaneously to such rating organization. The Insurance Commissioner shall set a time and place for a hearing at which the insurance company and such rating organization may be heard and shall give them not less than ten days' written notice thereof. In the event the Insurance Commissioner is advised by the rating organization that it does not desire a hearing he may, upon the consent of the applicant, waive such hearing. In considering the application for permission to file such deviation the Insurance Commissioner shall give consideration to the available statistics and the principles for rate making as provided in Section 125 of this Article. The Insurance

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Commissioner shall issue an order permitting the deviation for such insurance company to be filed if he finds it to be justified and it shall thereupon become effective. He shall issue an order denying such application if he finds that the modification is not justified or that the resulting premiums would be excessive, inadequate or unfairly discriminatory. Each deviation permitted to be filed shall be effective for a period of one year from the date of such permission unless terminated sooner with the approval of the Insurance Commissioner; provided that all term policies issued pursuant to such deviations may remain in force until their expiring dates.

567X. Sec. 130. Appeal by Minority:—Any subscriber to a rating organization may appeal to the Insurance Commissioner from the action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization.

567Y. Sec. 131. Information to be Furnished Insureds; Hearings and Appeals of Insureds:—Every rating organization and every insurance company which makes its own rates shall, within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make, furnish to any insured affected by a rate made by it, or to the authorized representative of such insured, all information as to such rate.

567Z. Sec. 132. Advisory Organizations:—

(a) Every group, association or other organization of insurance companies, whether located within or outside this state, which assists insurance companies which make their own filings or rating organizations in rate making, by the collection and furnishing of loss or expense statistics, or by the submission of recommendations, but which does not make filings under this Article, shall be known as an advisory organization.

(b) Every advisory organization shall file with the Insurance Commissioner (1) a copy of its constitution, its articles of agreement or association or its certificate of incorporation and

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of its by-laws, rules and regulations governing its activities, (2) a list of its members, (3) the name and address of a resident of this state upon whom notices or orders of the Insurance Commissioner or process issued at his direction may be served, and (4) an agreement that the Insurance Commissioner may examine such advisory organization in accordance with the provisions of Article 1 of this Chapter.

(c) If, after a hearing, the Insurance Commissioner finds that the furnishing of such information or assistance involves any act or practice which is unfair or unreasonable or otherwise inconsistent with the provisions of this Article, he may issue a written order specifying in what respects such act or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this Article, and requiring the discontinuance of such act or practice.

(d) No insurance company which makes its own filing nor any rating organization shall support its filings by statistics or adopt rate making recommendations, furnished to it by an advisory organization which has not complied with this Section or with an order of the Insurance Commissioner involving such statistics or recommendations issued under subsection (c) of this Section. If the Insurance Commissioner finds such insurance company or rating organization to be in violation of this subsection he may issue an order requiring the discontinuance of such violation.

567ZA. Sec. 133. Joint Underwriting or Joint Reinsurances:—

(a) Every group, association or other organization of insurance companies which engages in joint underwriting or joint reinsurances, shall be subject to regulation with respect thereto as herein provided, subject, however, with respect to joint underwriting, to all other provisions of law, and with respect to joint reinsurance, to Section 3 of Article 1 of this Chapter and Sections 137 and 138 of this Article.

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(b) If, after a hearing, the Insurance Commissioner finds that any activity or practice of any such group, association or other organization is unfair or unreasonable or otherwise inconsistent with the provisions of this Article, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this Article, and requiring the discontinuance of such activity or practice.

567ZB. Sec. 134. Rate Administration:—

(a) Recording and Reporting of Loss and Expense Experience.

The Insurance Commissioner shall promulgate reasonable rules and statistical plans, reasonably adopted to each of the rating systems on file with him, which may be modified from time to time and which shall be used thereafter by each insurance company in the recording and reporting of its loss and country-wide expense experience, in order that the experience of all insurance companies may be made available at least annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth in Section 125. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of countrywide expense experience. In promulgating such rules and plans, the Insurance Commissioner shall give due consideration to the rating systems on file with him and, in order that such rules and plans may be as uniform as is practicable among the several states, to the rules and to the form of the plans used for such rating systems in other states. No insurance company shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it. The Insurance Commissioner may designate one or more rating organizations or other agencies to assist him in gathering such experience and making compilations thereof, and such compilations shall be made available, subject to reasonable rules promulgated by the

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Insurance Commissioner, to insurance companies and rating organizations. Each company shall report its loss or expense experience to the lawful rating organization or agency of which it is a member or subscriber, but shall not be required to report its loss or expense experience to any rating organization or agency of which it is not a member or subscriber. Any company not reporting such experience to a rating organization or other agency may be required to report such experience to the Insurance Commissioner. Any report of such experience of any company filed with the Insurance Commissioner shall be deemed confidential and shall not be revealed by the Insurance Commissioner to any other company or other person, but the Insurance Commissioner may make compilations including such experience.

(b) Interchange of Rating Plan Data.

Reasonable rules and plans may be promulgated by the Insurance Commissioner for the interchange of data necessary for the application of rating plans.

(c) Consultation with Other States.

In order to further uniform administration of rate regulatory laws, the Insurance Commissioner and every insurance company and rating organization may exchange information and experience data with insurance supervisory officials, insurance companies and rating organizations in other states and may consult with them with respect to rate making and the application of rating systems.

567ZC. Sec. 135. False or Misleading Information:—No person or organization shall wilfully withhold information from, or knowingly give false or misleading information to, the Insurance Commissioner, any statistical agency designated by the Insurance Commissioner, any rating organization, or any insurance company, which will affect the rates or premiums chargeable under this Article. A violation of this Section shall subject the one guilty of such violation to the penalties provided in Section 137 of this Act.

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567ZD. Sec. 136. **Assigned Risks:**—Agreements may be made among insurance companies with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods and such insurance companies may agree among themselves on the use of reasonable rate modifications for such insurance, such agreements and rate modifications to be subject to the approval of the Insurance Commissioner.

567ZE. Sec. 137. **Penalties:**—The Insurance Commissioner may, if he finds that any person or organization has violated any provision of this Article, impose a penalty of not more than Fifty Dollars (\$50) for each such violation, but if he finds such violation to be wilful he may impose a penalty of not more than Five Hundred Dollars (\$500) for each such violation. Such penalties may be in addition to any other penalty provided by law.

The Insurance Commissioner may suspend the license of any rating organization or insurance company which fails to comply with an order of the Insurance Commissioner within the time limited by such order, or any extension thereof which the Insurance Commissioner may grant. The Insurance Commissioner shall not suspend the license of any rating organization or insurance company for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken, until such order has been affirmed. The Insurance Commissioner may determine when a suspension of license shall become effective and it shall remain in effect for the period fixed by him, unless he modifies or rescinds such suspension, or until the order upon which such suspension is based is modified, rescinded or reversed.

No penalty shall be imposed and no license shall be suspended or revoked except upon a written order of the Insurance Commissioner, stating his findings, made after a hearing held upon not less than ten days' written notice to such person or organization specifying the alleged violation.

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567ZF. Sec. 138.. Hearing Procedure:—

Any insurance company or rating organization aggrieved by an order or decision of the Insurance Commissioner made without a hearing, may, within thirty days after notice of the order to the insurance company or organization, make written request to the Insurance Commissioner for a hearing thereon. The Insurance Commissioner shall hear such party or parties within twenty days after receipt of such request and shall give not less than ten days' written notice of the time and place of the hearing. Within fifteen days after such hearing the Insurance Commissioner shall affirm, reverse or modify his previous action, specifying his reasons therefor. Pending such hearing and decision thereon the Insurance Commissioner may suspend or postpone the effective date of his previous action.

567ZG. Sec. 139. Accident and Health Insurance:—

(a) No policy of insurance against loss or expense from the sickness, or from the bodily injury or death by accident of the insured other than Workmen's Compensation insurance, accidental death or disability benefits issued supplementary to life insurance or annuity contracts, medical expense benefits under liability policies, family expense policies and group accident and health insurance, shall be issued or delivered to any person in this State, or shall be issued anywhere by an insurance company organized under the laws of this state, nor shall any application, rider or endorsement be used in connection therewith until a copy of the form thereof and of the classification of risks and the premium rates, or, in the case of cooperatives or assessment companies the estimated cost pertaining thereto have been filed with the Insurance Commissioner.

(b) No such policy shall be issued, nor shall any application, rider or endorsement be used in connection therewith, until the expiration of 30 days after it has been so filed unless the Insurance Commissioner shall sooner give his written approval thereto.

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(c) The Insurance Commissioner may within 30 days after the filing of any such form, disapprove such form (1) if the benefits provided therein are unreasonable in relation to the premium charged, or (2) if it contains a provision or provisions which are unjust, unfair, inequitable, misleading, deceptive or such as to encourage misrepresentation of such policy. If the Insurance Commissioner shall notify the company which has filed any such form that it does not comply with the provisions of this Section it shall be unlawful thereafter for such company to issue such form or use it in connection with any policy. In such notice the Insurance Commissioner shall specify the reasons for his disapproval and state that a hearing will be granted within twenty days after request in writing by the company.

(d) The Insurance Commissioner may at any time, after a hearing of which not less than 20 days' written notice shall have been given to the company, withdraw his approval of any such form on any of the grounds stated in this Section. It shall be unlawful for the company to issue such form or use it in connection with any policy after the effective date of such withdrawal of approval. The notice of any hearing called under this paragraph shall specify the matters to be considered at such hearing and any decision affirming disapproval or directing withdrawal of approval under this Section shall be in writing and shall specify the reasons therefor.

567ZH. Sec. 140. **Court Review of Acts of Insurance Commissioner:**—Any order, decision or act of the Insurance Commissioner under this Article shall be subject to judicial review upon petition of any company, person or organization aggrieved. Said appeal shall be to the Court of Chancery in any County of this State. A petition for the review of the action of the Insurance Commissioner shall be filed within sixty days from notice of the order, decision or act of the Insurance Commissioner. The commencement of such proceeding shall not affect the enforcement or validity of the Insurance Commissioner's action under review unless the Court shall determine after notice to

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the Insurance Commissioner, that a stay of enforcement until further direction of the Court will not unduly injure the interests of the public.

567ZI. Sec. 141. Proceedings in Court of Chancery:—The Insurance Commissioner may, through the Attorney General of this State, invoke the aid of the Court of Chancery to enforce any order made or action taken by him pursuant to this Article, which proceedings may be instituted in any County of the State as may seem most convenient. In such proceedings, the Chancellor may make such orders, either preliminary or final, as he shall deem right and proper under the facts as presented and established before him.

567ZJ. Sec. 142. Expert Assistance:—The Insurance Commissioner is authorized to employ from time to time and only if and when required, a competent actuary to assist the Insurance Commissioner in respect to the rating functions provided for in this Article; provided, however, the Insurance Commissioner shall not expend for such assistance in any one fiscal year a sum in excess of \$3000.00.

Section 3. Saving Clause:—If any clause, sentence, paragraph, or part of this Act shall, for any reason, be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph or any part thereof directly involved in the controversy in which such judgment has been rendered.

Section 4. This Act shall become effective July 1, 1947, and all laws inconsistent with the provisions of this Act shall be deemed repealed as of July 1, 1947, but only to the extent of any such inconsistency.

Approved April 3, 1947.

CHAPTER 162

UNEMPLOYMENT COMPENSATION COMMISSION

AN ACT TO AMEND AN ACT KNOWN AND CITED AS THE "UNEMPLOYMENT COMPENSATION LAW," BEING CHAPTER 258 OF THE LAWS OF DELAWARE, 1937, AS AMENDED, BY CHANGING THE DEFINITION OF WAGES; BY MAKING CERTAIN CHANGES IN THE PROVISIONS FOR DISQUALIFICATION FOR BENEFITS PAYABLE THEREUNDER; BY MAKING CERTAIN CHANGES IN THE PROVISIONS RELATIVE TO NOTICE OF BENEFIT DETERMINATION AND RIGHT OF APPEAL; BY CHANGING THE PROVISIONS RELATIVE TO VARIABLE CONTRIBUTION RATES AND ADMINISTRATIVE FUNDS; BY CHANGING THE PROVISIONS FOR SUCCESSORSHIP IN RELATION TO EXPERIENCE RATING; BY INCREASING THE SALARIES OF THE COMMISSION; AND BY FIXING THE PERIOD DURING WHICH APPEALS FROM PRELIMINARY DETERMINATIONS OF LIABILITY MAY BE TAKEN.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 2(n) (1) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 2(n) (1) and inserting in lieu thereof the following:

Sec. 2(n) (1). For the purposes of sections 3(b), 3(d), 4(e), and 7 of this Act that part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid after December 31, 1939, and prior to January 1, 1947, to such individual by such employer with respect to employment during such calendar year; or that part of the remuneration which, after remuneration equal to \$3,000 with respect to employment after 1938 has been paid to an individual by an employer during any calendar year after 1946, is paid to such individual by such employer during such calendar year.

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Section 2. That Section 2(n)(2) of Chapter 258 of the Laws of Delaware, 1937, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 2(n)(2) and inserting in lieu thereof the following:

Sec. 2(n)(2). Provided that, if \$3,000 or more of remuneration has been paid by one employer to an individual during any calendar year, some portion of which is included in such individual's base period, the \$3,000 shall be equally prorated throughout the quarters of such calendar year in which he was so employed for the purposes of sections 3(b), 3(d), and 4(e) of this Act. And provided, that the remuneration paid to an individual by an employer with respect to employment in another State or other States, upon which contributions were required of and paid by such employer under an unemployment compensation law of such other State or States shall be included as a part of remuneration equal to three thousand dollars (\$3,000.00) herein referred to.

Section 3. That Section 4(c) of Chapter 258 of the Laws of Delaware, 1937, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 4(c) and inserting in lieu thereof the following:

Sec. 4(c). He is able to work, and is available for work, and is actively seeking work.

Section 4. That Section 5(a) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 5(a) and inserting in lieu thereof the following:

Sec. 5(a). For the period of unemployment next ensuing after he has left his employment voluntarily without good cause attributable to such employment. Benefit wages related to wage credits earned in such employment shall not be considered in determining the future contribution rate of any individual employer under Section 7(c) of this Act.

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Section 5. That Section 5(b) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 5(b) and inserting in lieu thereof the following:

Sec. 5(b). For the period of unemployment next ensuing after an individual has been discharged from his employment for just cause in connection with his work. Benefit wages related to wage credits earned in such employment shall not be considered in determining the future contribution rate of any individual employer under Section 7(c) of this Act.

Section 6. That Section 5(c) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 5(c) and inserting in lieu thereof the following:

Sec. 5(c). If he has refused to accept an offer of work for which he is reasonably fitted, or has refused to accept a referral to a job opportunity when directed to do so by a local employment office of this State or another State. Such disqualification shall begin with the week in which the refusal occurred and shall continue for the duration of the period of unemployment during which such refusal occurred.

(1) No individual otherwise qualified to receive benefits shall lose the right to benefits by reason of a refusal to accept a referral or new work if:

(A) As a condition of being so employed, he would be required by the employer to join a company union, or would be required by the employer to resign from or refrain from joining any bona fide labor organization, or would be denied the right by the employer to retain membership in and observe the lawful rules of any such organization; or

(B) The position offered is vacant due directly to a strike, lockout, or other labor dispute; or

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(C) The work is at an unreasonable distance from his residence, having regard to the character of the work he has been accustomed to do, and travel to the place of work involves expenses substantially greater than that required for his former work; or

(D) The remuneration, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality.

Section 7. That Section 5 of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by adding thereto a new and additional subsection, to be known as Section 5(g) and reading as follows:

Sec. 5(g). If he has become unemployed by reason of commitment to any penal institution. Benefit wages related to wage credits earned in his most recent employment prior to such commitment shall not be considered in determining the future contribution rate of any individual employer under Section 7(c) of this Act.

Section 8. That Section 6(b) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 6(b) and inserting in lieu thereof the following:

Sec. 6(b). A representative designated by the Commission, and hereinafter referred to as a deputy, shall promptly examine the claim and, on the basis of the facts found by him, shall either determine whether or not such claim is valid, and if valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, or shall refer such claim or any question involved therein to an appeal tribunal, which shall make its decision with respect thereto in accordance with the procedure described in subsection (c) of this section. The deputy shall promptly notify the claim-

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ant and any other interested parties of the decision and the reasons therefor; the deputy may for good cause reconsider his decision and shall promptly notify the claimant and such other interested parties of the denial of such application or of his amended decision and the reasons therefor, as the case may be. Unless the claimant or any such interested party, within five calendar days after the delivery of the deputy's notification, or within seven calendar days after such notification was mailed to his last-known address, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith. If an appeal is duly filed, benefits with respect to the period prior to the final decision of the Commission shall be paid only after such decision: Provided, that a base period employer, if other than the employer by whom the claimant was employed most recently prior to his filing a claim for benefits, shall, as well as such most recent employer, be considered to be an interested party, but only to the extent that his contribution rate may be affected by benefit wage charges. Accordingly, any such base period employer shall be notified of the determination of the deputy on a claim for benefits and shall be accorded all rights of appeal under this section. However, such appeal, if not by a most recent employer, shall not constitute a basis for postponing or denying the payment of benefits on an otherwise valid claim, but shall be considered in connection with the relief of benefit wages prescribed in Section 5(a), Section 5(b), and Section 5(g) of this Act.

Section 9. That Section 7(c)(2)(E) of Chapter 258 of the Laws of Delaware, 1937, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 7(c)(2)(E) and inserting in lieu thereof the following:

Sec. 7(c)(2)(E). The contribution rate for each employer for the current calendar year shall be determined prior to the due date of the first contribution for such year in accordance with the following table:

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| When the State Experience Factor Is | | If the Employer's Benefit Wage Ratio Does Not Exceed: | | | | | | | | | | | | | | |
|---|------------|---|-----|------|------|------|------|------|------|------|------|------|------|------|------|--|
| 1 | OR less | 20% | 40% | 60% | 80% | 100% | 120% | 140% | 160% | 180% | 200% | 220% | 240% | 260% | 280% | |
| 2 | 10 | 20 | 30 | 40 | 50 | 60 | 70 | 80 | 90 | 100 | 110 | 120 | 130 | 140 | | |
| 3 | 7 | 14 | 21 | 28 | 35 | 42 | 49 | 56 | 63 | 70 | 77 | 84 | 91 | 98 | | |
| 4 | 5 | 10 | 15 | 20 | 25 | 30 | 35 | 40 | 45 | 50 | 55 | 60 | 65 | 70 | | |
| 5 | 4 | 8 | 12 | 16 | 20 | 24 | 28 | 32 | 36 | 40 | 44 | 48 | 52 | 56 | | |
| 6 | 3 | 6 | 9 | 12 | 15 | 18 | 21 | 24 | 27 | 30 | 33 | 36 | 39 | 42 | | |
| 7 | 3 | 6 | 9 | 12 | 15 | 18 | 21 | 24 | 27 | 30 | 33 | 36 | 39 | 42 | | |
| 8 | 2.5 | 5.0 | 7.5 | 10.0 | 12.5 | 15.0 | 17.5 | 20.0 | 22.5 | 25.0 | 27.5 | 30.0 | 32.5 | 35 | | |
| 9 | 2.5 | 5.0 | 7.5 | 10.0 | 12.5 | 15.0 | 17.5 | 20.0 | 22.5 | 25.0 | 27.5 | 30.0 | 32.5 | 35 | | |
| 10 | 2 | 4 | 6 | 8 | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 | | |
| 11 | 2 | 4 | 6 | 8 | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 | | |
| 12 | 1.5 | 3.0 | 4.5 | 6.0 | 7.5 | 9.0 | 10.5 | 12.0 | 13.5 | 15.0 | 16.5 | 18.0 | 19.5 | 21 | | |
| 13 | 1.5 | 3.0 | 4.5 | 6.0 | 7.5 | 9.0 | 10.5 | 12.0 | 13.5 | 15.0 | 16.5 | 18.0 | 19.5 | 21 | | |
| 14 | 1.5 | 3.0 | 4.5 | 6.0 | 7.5 | 9.0 | 10.5 | 12.0 | 13.5 | 15.0 | 16.5 | 18.0 | 19.5 | 21 | | |
| 15 | 1.5 | 3.0 | 4.5 | 6.0 | 7.5 | 9.0 | 10.5 | 12.0 | 13.5 | 15.0 | 16.5 | 18.0 | 19.5 | 21 | | |
| 16 | 1.5 | 3.0 | 4.5 | 6.0 | 7.5 | 9.0 | 10.5 | 12.0 | 13.5 | 15.0 | 16.5 | 18.0 | 19.5 | 21 | | |
| 17 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | | |
| 18 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | | |
| 19 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | | |
| 20 | more | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | |

The Employers' Contribution Rate Shall Be:

| | | | | | | | | | | | | | |
|----|----|----|----|------|------|------|------|------|------|------|------|------|------|
| 2% | 4% | 6% | 8% | 1.0% | 1.2% | 1.4% | 1.6% | 1.8% | 2.0% | 2.2% | 2.4% | 2.6% | 2.8% |
|----|----|----|----|------|------|------|------|------|------|------|------|------|------|

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If the employer's benefit wage ratio exceeds the percentage in the last column of the table opposite the State Experience Factor, his contribution rate shall be 3%.

Provided, that, for any calendar year with respect to which the balance in the fund on January 1 thereof is less than five Million Dollars (\$5,000,000), no employer's contribution rate shall be less than five-tenths of one percent (.5%).

Section 10. That Section 7(c)(5) of Chapter 258 of the Laws of Delaware, 1937, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out all of the said Section 7(c)(5) and inserting in lieu thereof the following:

Sec. 7(c)(5). Transfers of experience from a predecessor to a successor employer are hereby recognized providing there is a substantial continuity of ownership and management by the successor of the business of the predecessor. The Commission shall by regulation prescribe the conditions under which a successor employer may be entitled to the experience of a predecessor employer in changes of employer business entity from a partnership to an individual proprietorship, or the reverse, in changes from a partnership to another partnership, in changes of partnerships into corporations, or the reverse, and in changes from an individual proprietorship to a corporation, or the dissolution of a corporate business into an individual proprietorship.

Section 11. That Section 7(c) of Chapter 258 of the Laws of Delaware, 1937, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by adding thereto a new and additional paragraph, designated as Section 7(c)(6) and reading as follows:

Sec. 7(c)(6). If the Federal Unemployment Tax Act is amended by the Congress of the United States to permit a maximum of credit against such Federal tax higher than the 90% maximum rate of credit now permitted under Section 1601 (c) of the Internal Revenue Code to an employer with respect to the Delaware Unemployment Compensation Law, then for any such employer, liable under said Federal statute, his contribution rate

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under this Act shall be that determined in Section 7(c) (2) (E) of the Act plus the three-tenths of one percent (.3%) additional offset credit permitted under Federal law. Provided, however, that in no event shall any employer's total tax under this Act be higher than three percent (3%).

Section 12. That Section 7(c) of Chapter 258 of the Laws of Delaware, 1937, as amended (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by adding thereto a new and additional paragraph, designated as Section 7(c) (7) and reading as follows:

Sec. 7(c) (7). If Section 303 (a) (5) of Title III of the Federal Social Security Act and Section 1603 (a) (4) of the Internal Revenue Code are amended by the Congress of the United States to permit the Unemployment Compensation Commission to use, in financing administrative expenditures incurred in carrying out its employment security functions, some part of the moneys collected or to be collected under the State Unemployment Compensation Law in partial or complete substitution for grants under said Title III of the Federal Social Security Act, in that event there shall be available to the Unemployment Compensation Commission without further appropriation or legislation such portion of said moneys collected or to be collected under the State Unemployment Compensation Law as the Commission may find necessary for effective administration of the Unemployment Compensation Law.

Sec. 7(c) (7) (A). Provided, however, that in no event shall the funds expended by the Commission under this provision in any year be in excess of two-tenths of one percent (.2%) of the payrolls of employers subject to contributions collected under this Act for the previous fiscal year. Such amount shall be determined annually by the Commission in conjunction with the State Treasurer and State Auditor and shall be transferred to the Administration Fund. Any unexpended portion of this annual allocation shall revert to the Unemployment Compensation reserve fund.

Section 13. That Section 10 (a) of Chapter 258, Laws of Delaware, 1937, as amended, (known and cited as the "Unem-

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ployment Compensation Law"), be and the same is hereby amended by striking out the following language in the sixth sentence thereof: "The Chairman of the Commission shall receive an annual salary of Fifty-Two Hundred Dollars (\$5,200.00)", and by substituting in lieu thereof the following language at the beginning of the said sixth sentence: The Chairman of the Commission shall receive an annual salary of Six Thousand Dollars (\$6,000.00).

Section 14. That Section 11(l)(1) of Chapter 258 of the Laws of Delaware, 1937, as amended, (known and cited as the "Unemployment Compensation Law"), be and the same is hereby amended by striking out the second sentence thereof, which reads: "Such appeals shall be taken in the manner and within the time prescribed by the Commission," and substituting in lieu thereof the following language: Such appeals shall be taken within 15 days from the date of the rendering of such administrative ruling.

Section 15. Section 1, Section 2, Section 9, and Section 10 of this Act shall become effective as of January 1, 1947. All other sections shall become effective upon approval of this Act by the Governor.

Approved April 3, 1947.

CHAPTER 163

FACTOR'S LIENS

AN ACT TO AMEND ARTICLE 3, CHAPTER 79, OF THE REVISED CODE OF DELAWARE OF 1935, RELATING TO LIENS, BY ADDING A NEW SUB-TITLE AND EIGHT NEW SECTIONS TO FOLLOW IMMEDIATELY AFTER 3340. SEC. 17; SAID NEW SUB-TITLE TO BE KNOWN AS "FACTORS' LIENS" AND SAID NEW SECTIONS DEFINING THE TERMS "FACTOR", "MERCHANDISE" AND "BORROWER", PROVIDING FOR A CONTINUING GENERAL LIEN OF FACTORS ON MERCHANDISE AND THE PROCEEDS OF THE SALE THEREOF AND THE MANNER IN WHICH SUCH LIENS SHALL BE CREATED AND RECORDED OR NOTICE THEREOF PLACED ON RECORD, AND PROVIDING FURTHER THAT SAID SUB-TITLE SHALL BE CONSTRUED AS PROVIDING AN ADDITIONAL METHOD FOR FINANCING THE MANUFACTURE, PROCESSING OR SALE OF MERCHANDISE, AND IS NOT TO BE CONSTRUED AS AFFECTING THE VALIDITY OF LIENS HERETOFORE OR HEREAFTER ACQUIRED AS SECURITY FOR THE FINANCING OF THE MANUFACTURING OR PROCESSING OR SALE OF MERCHANDISE UNDER THE PROVISIONS OF ANY OTHER STATUTE OF THIS STATE OR UNDER THE PROVISIONS OF THE COMMON LAW IN EFFECT IN THIS STATE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Article 3 of Chapter 79 of the Revised Code of Delaware of 1935 be and the same is hereby amended by adding a new sub-title, to be known as "FACTORS' LIENS", immediately after 3340. Sec. 17 and eight new Sections designated as 3340A. Sec. 17A, 3340B. Sec. 17B, 3340C. Sec. 17C, 3340D. Sec. 17D, 3340E. Sec. 17E, 3340F. Sec. 17F, 3340G. Sec. 17G, 3340H. Sec. 17H.

FACTORS' LIENS

3340A. Sec. 17A. **Factor, Merchandise and Borrower, Defined:**—The term "factor", wherever used in this sub-title of this

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Article, shall mean persons, firms, banks, and other corporations, and their successors in interest, engaged, in whole or in part, in the business of lending or advancing money on the security of merchandise, or the proceeds of sale thereof, whether or not they are employed to sell such merchandise. The term "merchandise" wherever used in this sub-title of this Article, shall mean any personal property intended for sale, whether or not after further manufacturing or processing, and does not include fixtures or other trade or manufacturing equipment of any borrower. The term "borrower" whenever used in this sub-title of this Article, shall mean the owner of merchandise, or his agent, who creates a lien in favor of a factor.

3340B. Sec. 17B. Loans, Advances and Other Charges, a Continuing General Lien If So Provided in Written Agreement or Separate Written Statement:—If so provided by any written agreement with the borrower, a factor shall have a continuing general lien upon all merchandise described in such agreement or memoranda thereof, or if so provided in said agreement, all merchandise from time to time designated in separate written statements, dated, signed and delivered by the borrower to the factor, in which agreements, memoranda or statements is set forth the property to be covered by the lien, whether or not such merchandise is in the constructive, actual or exclusive occupancy or possession of the factor, and such lien shall secure the factor for all his loans and advances to or for the account of the borrower, together with interest thereon, and also for the commissions, obligations, indebtedness, charges and expenses properly chargeable against or due from said borrower, and for the amounts due or owing upon any notes or other obligations given to or received by a factor for or upon account of any such loans or advances, interest, commissions, obligations, indebtedness, charges and expenses.

3340C. Sec. 17C. Agreement Must Be Under Affidavit, When Recorded, Facts To Be Set Forth In Affidavit:—Every such written agreement must be under affidavit by the factor or his agent to the effect that the statements therein contained are true to the best of his knowledge and belief, and within fifteen (15) days after the execution thereof said written agreement or

FACTOR'S LIENS

a brief memorandum thereof setting forth the following facts shall be recorded in the Recorder of Deeds Office of the several counties, as the case may be, where the merchandise subject to the lien, or any substantial part thereof, is or is intended to be located, kept or stored:

(a) The true name of the factor; the trade name of the factor in said business; if the factor be a partnership or an association, the names of the partners or members; and, if a corporation, the name of the State under whose laws it was incorporated; the principal place of business of the factor within this State or if factor has no place of business within this State, factor's principal place of business outside of this State;

(b) The name and address of the borrower, and the address of borrower's principal place of business, and if borrower is a partnership, the names and addresses of the several partners, and if the borrower is a corporation, the State of its incorporation, and the interest of the borrower in the merchandise, as far as known to the factor;

(c) The general character of merchandise subject to the lien, or which may become subject thereto, and the period of time during which such loans or advances may be made under the terms of the agreement providing for such loans or advances and for such lien. Said agreement shall contain a general description of the place where the merchandise or any substantial portion thereof is or intended to be located, kept or stored, and such other and additional terms and conditions as factors and borrowers may elect.

Amendments may be filed from time to time to record any changes in the agreement or recorded memorandum. Such lien shall be valid from the time of such recording, whether such merchandise shall be in existence at the time of the execution of the written agreement creating the lien or shall come into existence subsequently thereto, or shall subsequently thereto be acquired by the borrower. The Records of Deeds shall accept for recording every such agreement or memorandum presented for that purpose and shall endorse thereon the time of its receipt; such agreement or memorandum shall be recorded in a special

FACTOR'S LIENS

book for that purpose entitled "Factors' Liens". Such Recorders, at the time of such recording, shall, upon request, issue to the person filing the same a receipt in writing, containing the substance of the entries made or to be made as hereinbefore provided. The Recorder of Deeds in whose office said memorandum is filed shall be entitled to receive for recording the same the sum of One Dollar and Fifty Cents (\$1.50); if said agreement is recorded in full, the fee for such recording shall be such sum as now is or may hereafter be prescribed for recording instruments of like character.

3340D. Sec. 17D. When Agreement Effective, Against Whom, Exceptions, When Merchandise May Be Sold In Ordinary Course of Business of Borrower:—Such agreement or memorandum, if recorded within the period specified in the preceding section, shall be effective from the time of the recording thereof as against all claims of creditors of the borrower without prior liens on the merchandise, except that if, pursuant to the laws of this State, a lien should subsequently attach to the merchandise in favor of a processor upon the merchandise (other than the borrower), a dyer, mechanic, or other artisan, or in favor of a landlord, then the lien of the factor on such merchandise shall be subject to such subsequent lien; whenever expressly provided by the written agreement between the factor and the borrower required in Section 17B hereof and whenever so stated in the memorandum referred to in Section 17C hereof, merchandise subject to the lien provided for by this Act may be sold in the ordinary course of business of the borrower, in which event such lien, whether or not the purchaser has knowledge of the existence thereof, shall terminate as to the merchandise and shall attach to the proceeds resulting from such sale.

3340E. Sec. 17E. Certificate of Satisfaction, Lien How Discharged, Duration of Lien, Extending Lien:—Upon the payment or satisfaction of the indebtedness secured by any lien specified in this Act, the factor or his legal representative, upon the request of any person interested in the said merchandise, must sign and acknowledge a certificate setting forth such payment or satisfaction. The Recorder of Deeds with whom the agreement or memorandum is recorded must accept such certificate

FACTOR'S LIENS

for recording, and shall thereupon write the word "discharged" in the book where the agreement or memorandum is recorded, opposite the recording thereof, and the lien shall thereupon be discharged. For each recording of discharge, said Recorder of Deeds shall be entitled to receive the sum of Fifty Cents (50c). All agreements or memoranda recorded pursuant to this Act and not discharged by recording a certificate setting forth payment or satisfaction thereof shall be deemed to be and remain in full force and effect under this Act without further or other recording for a period of not more than three (3) years from the date of recording. At any time before the expiration of three (3) years from the date of original recording, a like agreement, memorandum or statement may be recorded in like manner as the original recording. Any recording of such further agreement, memorandum or statement shall be valid in like manner and for like period as an original recording, and shall also continue the rank of the factor's lien as against all junior interests.

3340F. Sec. 17F. Factor Has Continuing General Lien When Merchandise is in His Possession:—When the factor, or any third party for the account of any such factor, shall have possession of merchandise, such factor shall have a continuing general lien, as set forth in Section 17B of this Act, without recording the written agreement or memorandum thereof provided for in this Act.

3340G. Sec. 17G. Act, How Construed:—This Act is to be construed liberally to secure the beneficial interest and purposes thereof. A substantial compliance with its several provisions shall be sufficient for the validity of a lien and to give jurisdiction to the courts to enforce the same. Nothing in this Act shall be construed as affecting or limiting any existing or future lien at common law or any rights at common law or any rights given by any other statute to the factor, and as to any transaction falling within the provisions both of this Act and of any other statute of this State requiring or permitting filing, recording, consent, publication, notices or formalities of execution, the factor shall not be required to comply with the provisions of any such other statute.

FACTOR'S LIENS

3340H. Sec. 17H. Act to be Construed as Providing An Additional Method for Financing, Manufacturing, Processing or Sale of Merchandise:—This sub-title shall be construed as providing an additional method for financing the manufacturing, processing or sale of merchandise and is not to be construed as affecting the validity of liens heretofore or hereafter acquired as security for the financing of the manufacturing, processing or sale of merchandise under the provisions of any other statutes of this State, or the common law in effect in this State.

Approved April 3, 1947.

CHAPTER 164

CONVEYANCES

RELATING TO EXECUTION OF DEED BY MARRIED WOMAN

AN ACT TO AMEND CHAPTER 92 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, WITH REFERENCE TO THE SIGNATURE OF A MINOR HUSBAND OR WIFE TO ANY BONDS, OTHER OBLIGATION OR MORTGAGE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 92 of the Revised Code of Delaware, 1935, as amended by Chapter 230, Volume 45, Laws of Delaware, 1945, be and the same is hereby further amended by striking out all of the last paragraph of 3688, Sec. 31. thereof and by enacting in lieu of the part so stricken out the following new paragraph:

The signature, seal and acknowledgment of a husband or a wife under the age of twenty-one (21) years and of the age of at least eighteen (18) years to any bond, other obligation and/or mortgage shall be valid and legally effective for all intents and purposes in law or in equity and shall bind him and/or her, his and/or her heirs, executors and administrators as effectually as if he or she were twenty-one (21) years of age or upwards.

Approved April 3, 1947.

CHAPTER 165

SETTLEMENT OF PERSONAL ESTATES

SETTLEMENT OF PERSONAL ESTATES

AN ACT TO AMEND CHAPTER 98 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO SETTLEMENT OF PERSONAL ESTATES AND DISTRIBUTION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 98 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended, by striking out all of 3845. Sec. 47. and 3846. Sec. 48. thereof, and inserting in lieu thereof the following:

3845. Sec. 47. The following distributees of an estate, wife, husband, children, father, mother, brother or sister (preference being given in the order named) shall be entitled thereto without awaiting the appointment of a personal representative or the probate of a will when

- (a) No petition for the appointment of a personal representative is pending or has been granted, and
- (b) Thirty days have elapsed since the death of the deceased, and
- (c) The value of the entire assets of the estate, not including exempt property, does not exceed (\$500.00), and
- (d) All known debts have been paid or provided for, and
- (e) There is furnished to any person, partnership, or corporation owing any money, having custody of any property, or acting as registrar or transfer agent of any evidence of interest, indebtedness, property or right, an affidavit showing the existence of the foregoing conditions and the right of the distributees to receive such money or property or to have such evidences transferred.

SETTLEMENT OF PERSONAL ESTATES**SETTLEMENT OF PERSONAL ESTATES**

3846. Sec. 48. The person, partnership or corporation making payment, delivery, transfer or issuance pursuant to the affidavit described in 3845. Sec. 47 shall be released to the same extent as if made to personal representative of the decedent and he shall not be required to see to the application thereof or to inquire into the truth of any statement in the affidavit, but the distributees to whom payment, delivery, transfer or issuance is made, shall be answerable therefor to any person having a prior right and be accountable to any personal representative thereafter appointed. If the person, partnership or corporation to whom such affidavit is delivered, refuses to pay, deliver, transfer, or issue the property, as above provided, it may be recovered or compelled in an action brought for such purpose by or on behalf of the distributees entitled thereto, upon proof of the facts required to be stated in the affidavit.

Approved April 3, 1947.

CHAPTER 166

APPROPRIATION

EMPLOYING AN ACTUARY IN THE INSURANCE DEPARTMENT

AN ACT MAKING APPROPRIATION TO THE STATE INSURANCE COMMISSIONER FOR THE EXPENSE OF EMPLOYING AN ACTUARY IN ACCORDANCE WITH THE PROVISIONS OF AN ACT ENTITLED, "AN ACT TO AMEND CHAPTER 20 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO THE INSURANCE DEPARTMENT BY PROVIDING FOR THE REGULATION AND CONTROL OF INSURANCE RATES AND RATING ORGANIZATIONS".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated to the State Insurance Commissioner out of the General Fund of the State Treasury, not otherwise appropriated, the sum of Three Thousand Dollars (\$3,000.00) for each of the fiscal years ending June 30, 1948 and June 30, 1949, for the payment of the expense of employing an actuary as provided by an Act entitled, "An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, Relating to the Insurance Department by Providing for the Regulation and Control of Insurance Rates and Rating Organizations"; provided, however, that all parts or portions of the sums appropriated by this Act which, on the first day of July immediately following each of the respective fiscal years, shall not have been paid out of the State Treasury, shall revert to the General Fund of the State Treasury.

Section 2. This Act shall be known as a Supplementary Appropriation Act and the moneys appropriated hereunder shall be drawn upon and paid by the State Treasurer as other moneys heretofore appropriated to the State Insurance Commissioner.

Approved April 3, 1947.

CHAPTER 167

APPROPRIATION

OLD AGE WELFARE COMMISSION

**AN ACT MAKING A DEFICIENCY APPROPRIATION TO THE
STATE OLD AGE WELFARE COMMISSION FOR THE
MAINTENANCE AND OPERATION OF THE STATE
WELFARE HOME.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That in addition to any other money appropriated to the State Old Age Welfare Commission, there is hereby appropriated an additional sum of Twenty-Eight Thousand Dollars (\$28,000.00) for the fiscal year ending June 30, A. D., 1947.

Section 2. The money hereby appropriated shall be used by the State Old Age Welfare Commission for operation and maintenance of the State Welfare Home. The State Treasurer is hereby directed to pay out the funds hereby appropriated upon warrant or warrants duly approved by the proper officials of the State Old Age Welfare Commission.

Section 3. This bill shall be known as a supplementary and deficiency appropriation act and the money hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 3, 1947.

CHAPTER 168

APPROPRIATION

CLAIM OF JOHNIE PERRY

**AN ACT PROVIDING FOR PAYMENT OF A CLAIM TO
JOHNIE PERRY FOR REPAYMENT OF A FINE IM-
PROPERLY COLLECTED.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the State Treasurer be and he is hereby authorized and directed to pay to Johnie Perry of Newport, in the County of New Castle and State of Delaware, the sum of One Hundred and Three Dollars and Fifty Cents (\$103.50), being the amount of a fine and the costs in a proceeding before Magistrate J. Henderson Smith, in a matter over which said Justice had no jurisdiction as was determined by the Superior Court of New Castle County.

Section 2. This bill shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury from sums not otherwise appropriated.

Approved April 3, 1947.

CHAPTER 169

APPROPRIATION

REPAIRS TO ZWAANENDAEL MUSEUM

PROVIDING FOR PAYMENT OF A CLAIM TO J. A. SPAHN ESTATE FOR REPAIRS TO WIRING AND INSTALLING NEW ELECTRICAL SERVICE IN THE ZWAANENDAEL MUSEUM AT LEWES, DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Treasurer be and he is hereby authorized and directed to pay to J. A. Spahn Estate the sum of Two Hundred and Eighty-eight Dollars and Fourteen Cents (\$288.14) in payment for services rendered by J. A. Spahn in repairing wiring and installing a new electrical service in the Zwaanendael Museum at Lewes, Delaware, under the custody of the Lewes Memorial Commission of the State of Delaware; the said sum to be paid by the State Treasurer upon proper warrant or voucher signed by the officers of the said Lewes Memorial Commission.

Section 2. This bill shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury from sums not otherwise appropriated.

Approved April 3, 1947.

CHAPTER 170

APPROPRIATION

DELAYED REPAIRS

AN ACT APPROPRIATING MONIES FOR DELAYED AND ESSENTIAL REPAIRS AND MAINTENANCE TO AND OF CERTAIN STATE INSTITUTIONS, THE UNIVERSITY OF DELAWARE, STATE COLLEGE FOR COLORED STUDENTS, STATE BOARD SCHOOLS, SPECIAL SCHOOL DISTRICTS AND THE WILMINGTON BOARD OF EDUCATION.

WHEREAS, due to the War Emergency and certain other factors including scarcity of manpower and materials and the resultant high cost of materials it has heretofore been necessary to defer and delay repairs and maintenance to and of many of the buildings used by State institutions, colleges and schools, and

WHEREAS, it is now highly desirable that as soon as practicable such repairs and maintenance be accomplished, and

WHEREAS, the State has accumulated a cash balance over and above its actual operating expenses which said balance was in part created by deferring said repairs and maintenance,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other monies appropriated to the State institutions, University of Delaware, State College for Colored Students, State Board Schools, Special School Districts and the Wilmington Board of Education, hereinafter referred to as agencies, hereinafter provided for for the fiscal year ending June 30, 1947, and in addition to the regular appropriations to said agencies that may appear in the regular budget appropriation bill for the biennium ending June 30, 1949, there is hereby appropriated an amount not to exceed the sum of One Million Seven Thousand Three Hundred and Forty-seven Dollars and Fifty Cents (\$1,007,347.50) to and for the agencies and purposes hereinafter more particularly set forth and in the respective amounts hereinafter provided.

APPROPRIATION

DELAYED REPAIRS

A. State institutions other than units in the State educational system:

| | |
|-------------------------------|--------------|
| Custodian | \$ 20,000.00 |
| Lewes Memorial | 1,800.00 |
| State Forestry | 3,100.00 |
| Brandywine Sanatorium | 22,000.00 |
| Edgewood Sanatorium | 5,400.00 |
| Delaware State Hospital | 100,000.00 |
| Welfare Home, Smyrna | 33,400.00 |
| Delaware Colony | 35,000.00 |
| Kruse School | 22,000.00 |
| Ferris School | 35,000.00 |
| Armories | 11,997.50 |
| Bethany Beach | 550.00 |

B. Colleges:

University of Delaware Adm.

U. of D. Agric. & Farm Exp. Station M8

Fowl Typhoid

| | |
|------------------------------------|--------------|
| Total University of Delaware | \$ 75,000.00 |
| State College | 26,500.00 |

C. State Board Schools:

New Castle County:

| | |
|--------------------------------|----------|
| Arden #3 | |
| Alfred I. duPont #7 | 4,650.00 |
| Richardson Park #20 | 2,000.00 |
| Newport #21 | 9,000.00 |
| Walnut Green #25 | 1,100.00 |
| Hockessin #29 | 1,400.00 |
| Harmony #32 | 300.00 |
| Mt. Pleasant #34 | 380.00 |
| Stanton #38 | 2,000.00 |
| Christiana #44 | 1,400.00 |
| Rose Hill-Minquadale #47 | 4,500.00 |
| Delaware City #52 | 2,000.00 |
| Com. MacDonough #53 | 5,000.00 |
| Glasgow #56 | 300.00 |

APPROPRIATION

DELAYED REPAIRS

| | |
|----------------------------------|----------|
| Middletown #60 | 5,500.00 |
| Odessa (Corbit) #61 | 700.00 |
| Port Penn #63 | 1,100.00 |
| Taylor's Bridge #66 | 350.00 |
| Marshallton #77 | 5,500.00 |
| Townsend #81 | 1,500.00 |
| Yorklyn #91 | 1,000.00 |
| Pleasant Valley #92 | 300.00 |
| Eden #101 | 100.00 |
| Oak Grove #130 | 3,500.00 |
| Henry C. Conrad #131 | 8,500.00 |
| Newport #106C | 3,500.00 |
| Hockessin #107C | 600.00 |
| Marshallton #108C | 500.00 |
| Christiana #111C | 700.00 |
| Iron Hill #112C | 450.00 |
| Kirkwood-St. Georges #117C | 500.00 |
| Delaware City #118C | 600.00 |
| Mt. Pleasant #119C | 550.00 |
| Middletown #120C | 8,200.00 |
| Lee's Chapel #124C | 400.00 |
| Townsend #125C | 860.00 |
| Ebenezer #126C | 900.00 |
| Millside #132C | 1,000.00 |
| Kent County: | |
| Kenton #9 | 1,000.00 |
| Leipsic #11 | 1,250.00 |
| Oak Point #20 | 500.00 |
| Frederica #32 | 1,000.00 |
| Farmington #39 | 2,500.00 |
| Magnolia #50 | 4,450.00 |
| Felton #54 | 1,400.00 |
| Pratt's #59 | 500.00 |
| Rose Valley #79 | 100.00 |
| Cheswold #83 | 300.00 |
| Little Creek #85 | 1,500.00 |
| Wiley's #93 | 450.00 |

APPROPRIATION

DELAYED REPAIRS

| | |
|-----------------------------|-----------|
| Hartly #96 | 1,300.00 |
| Clayton #119 | 1,625.00 |
| Houston #125 | 2,700.00 |
| Clayton #136C | 425.00 |
| Kenton #140C | 1,000.00 |
| Lockwood #142C | 1,000.00 |
| Cheswold #143C | 2,500.00 |
| Fork Branch #145C | 1,000.00 |
| White Oak #146C | 750.00 |
| Parker's Chapel #153C | 445.00 |
| Woodside #154C | 1,000.00 |
| Mt. Olive #155C | 1,200.00 |
| Viola #156C | 1,400.00 |
| Union #158C | 1,750.00 |
| Reeves Crossing #159C | 400.00 |
| Sussex County: | |
| Cedar Neck #1 | 900.00 |
| Lincoln #3 | 1,250.00 |
| Milton #8 | 7,500.00 |
| Millsboro #23 | 8,265.00 |
| Lord Baltimore #28 | 10,000.00 |
| Williamsville #30 | 600.00 |
| Roxana #31 | 1,650.00 |
| Selbyville #32 | 4,500.00 |
| Stockley #34 | 1,000.00 |
| Gumboro #37 | 1,400.00 |
| Sycamore #44 | 1,100.00 |
| Concord #58 | 800.00 |
| Bridgeville #90 | 6,000.00 |
| Greenwood #91 | 7,000.00 |
| John M. Clayton #97 | 8,675.00 |
| Bethel #99 | 1,200.00 |
| Ellendale #125 | 2,550.00 |
| Delmar #163 | 9,400.00 |
| Blades #172 | 1,700.00 |
| Slaughter Neck #193C | 1,200.00 |
| Lincoln #194C | 1,700.00 |

APPROPRIATION

DELAYED REPAIRS

| | |
|----------------------------|----------|
| Ellendale #195C | 1,700.00 |
| Milton #196C | 2,500.00 |
| Drawbridge #197C | 1,000.00 |
| Nassau #198C | 1,500.00 |
| Rehoboth #200C | 1,000.00 |
| Rabbit's Ferry #201C | 1,100.00 |
| Friendship #202C | 800.00 |
| Warwick #203C | 700.00 |
| Millsboro #204C | 775.00 |
| Frankford #206C | 1,800.00 |
| Blackwater #207C | 1,000.00 |
| Selbyville #210C | 2,000.00 |
| Delmar #212½C | 1,500.00 |
| Owens Corner #213C | 1,200.00 |
| Portsville #214C | 1,200.00 |
| Ross Point #215C | 800.00 |
| Concord #216C | 1,200.00 |
| Blocksom's #218C | 800.00 |
| Middleford #219C | 1,000.00 |
| Bridgeville #220C | 6,000.00 |
| Trinity #221C | 800.00 |
| Greenwood #222C | 1,200.00 |
| Hollyville #224C | 800.00 |
| Warwick #225C | 900.00 |
| Williamsville #226C | 1,500.00 |
| Nanticoke Indian | 500.00 |

D. Special School Districts:

| | |
|------------------------|-----------|
| Mt. Pleasant | 7,500.00 |
| Claymont | 10,000.00 |
| Alexis I. duPont | 1,500.00 |
| Newark | 12,500.00 |
| New Castle | 14 500.00 |
| Smyrna | 9,000.00 |
| Dover | 20,000.00 |
| Caesar Rodney | 12,000.00 |
| Harrington | 7,000.00 |
| Milford | 20,000.00 |

APPROPRIATION

DELAYED REPAIRS

| | |
|------------------|-----------|
| Georgetown | 11,000.00 |
| Lewes | 10,500.00 |
| Laurel | 25,000.00 |
| Rehoboth | 7,150.00 |
| Seaford | 20,000.00 |

E. Wilmington Board of Education:

| | |
|-------------------------------------|--------------|
| Wilmington Board of Education | \$200,000.00 |
|-------------------------------------|--------------|

Section 2. That the funds hereby appropriated shall be available to the agencies as herein set forth immediately upon the passage and approval of this bill, and the State Treasurer is hereby authorized and directed to pay such sums therefrom as are presented for payment by proper vouchers signed by the proper officials of the agencies herein provided for subject to the limitations hereinafter provided.

Section 3. The sums hereby appropriated shall not revert to the General Fund of the State Treasury at the end of any fiscal year but shall be available to the agencies herein provided for for carrying out the purposes hereof until the appropriation is fully expended.

Section 4. All contracts to be let by the State Board Schools, Special School Districts and the Wilmington Board of Education shall first be submitted to and approved by the State Board of Education before being awarded.

Section 5. This bill shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury from monies not otherwise appropriated.

Approved April 3, 1947.

CHAPTER 171

APPROPRIATION

PURCHASE AND CONSTRUCTION OF NEW AND IMPROVED SCHOOL
BUILDINGS, GROUNDS AND EQUIPMENT**AN ACT MAKING AN APPROPRIATION TO THE STATE
BOARD OF EDUCATION FOR USE BY SAID BOARD
AND FOR REALLOCATION TO CERTAIN SCHOOL DIS-
TRICTS, FOR THE PURCHASE AND CONSTRUCTION
OF NEW AND IMPROVED PUBLIC SCHOOL BUILDINGS,
GROUNDS AND EQUIPMENT.**

WHEREAS, there is an immediate and pressing need for certain construction for public school purposes in the State of Delaware; and

WHEREAS, certain school districts hereinafter mentioned have funds for construction purposes presently available by state appropriation and from the proceeds of local bond issues; and

WHEREAS, certain other school districts hereinafter mentioned are expected to provide funds for construction purposes from local sources; and

WHEREAS, the educational needs of the particular communities are of such nature that action by the One Hundred Fourteenth General Assembly is imperative because even in those districts having funds on hand from either or both of the sources named, due to present costs, the available funds are not sufficient to provide the necessary school facilities; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House thereof concurring therein):

Section 1. That there is hereby appropriated to the State Board of Education the sum of One Million, Six Hundred Sixty-eight Thousand Nine Hundred Eighty-seven Dollars (\$1,668,-987.00) to be used and reallocated by the said Board as hereinafter in this Bill provided.

APPROPRIATION

PURCHASE AND CONSTRUCTION OF NEW AND IMPROVED SCHOOL BUILDINGS, GROUNDS AND EQUIPMENT

Section 2. That the sum of Two Hundred Thousand Dollars (\$200,000.00) of the total appropriation shall be used by the State Board of Education for the construction of a new comprehensive High School in Kent County for Negroes, who now must attend State College for Colored Students for their high school education. The said school shall be so located in Kent County where in the judgment of the said Board it will best serve the educational needs of the greatest number of Negro high school students in grades seven to twelve. The said comprehensive High School shall be built under the direction of a Commission appointed under the provisions of Section 8 of Chapter 79, Volume 43, Laws of Delaware, 1941.

Section 3. The creation of a High School District to be served by the high school provided for by this Act shall be governed by the provisions of 2683. Sec. 61. of Chapter 71 of the Revised Code of Delaware, 1935, as amended. The members of the Board of School Trustees for such High School District, shall be appointed in accordance with the method provided in said Section.

Section 4. That of the total amount herein appropriated, the sum of One Million One Hundred Ninety-six Thousand Eight Hundred Twenty-seven Dollars (\$1,196,827.00) shall be reallocated to the following named school districts for the construction and equipment of new school buildings or additions to existing school buildings, to be expended by school building Commissions selected as provided by Section 8 of Chapter 79, Volume 43, Laws of Delaware, 1941, and in the following proportions; provided, that the respective districts make available the sums set opposite the reallocation made to them, respectively; and provided further, that if necessary to meet this requirement any district named in Sections 4 or 5 of this Act may issue bonds authorized by a referendum vote according to the provisions of Chapter 71 of the Revised Code of Delaware, 1935, as amended, notwithstanding that the total of such bonds when added to any other bonds outstanding against said school district may exceed five per cent

APPROPRIATION

PURCHASE AND CONSTRUCTION OF NEW AND IMPROVED SCHOOL BUILDINGS, GROUNDS AND EQUIPMENT

(5%) of the assessed value of the real and personal property in such school district:

| District | State Funds | Local Funds |
|---|--------------|--------------|
| Oak Grove School District #130..... | \$217,000.00 | \$217,000.00 |
| Mt. Pleasant Special School District..... | 250,000.00 | 213,000.00 |
| Rose Hill-Minquadale School District #47 | 3,000.00 | 47,000.00 |
| Seaford Special School District | 114,000.00 | 76,000.00 |
| Laurel Special School District | 144,827.00 | 200,000.00 |
| Lord Baltimore School District #28 | 168,000.00 | 232,000.00 |
| Newark Special School District | 300,000.00 | 217,240.00 |

Section 5. That of the total amount appropriated herein the sum of Two Hundred Twenty-three Thousand Six Hundred Sixty Dollars (\$223,660.00) shall be reallocated by the State Board of Education for the construction of public school buildings at or near Wilmington Manor in New Castle County, and in the town of Marshallton, New Castle County, provided these respective communities shall furnish from local sources the amounts set opposite the sums so allocated by the State Board of Education, as follows:

| District | State Funds | Local Funds |
|---------------------------------------|--------------|--------------|
| Wilmington Manor | \$185,760.00 | \$158,240.00 |
| Marshallton School District #77 | 37,900.00 | 95,238.00 |

If, however, Wilmington Manor shall become a separate school district, the State Funds allocated shall be One Hundred Seventy-two Thousand Dollars (\$172,000.00), and the Local Funds furnished shall be One Hundred Seventy-two Thousand Dollars (\$172,000.00). The expenditure of the funds named in this Section shall be under the direction and control of School Building Commissions selected as provided by Section 8 of Chapter 79, Volume 43, Laws of Delaware, 1941.

Section 6. That of the total amount appropriated the sum of Thirty-three Thousand Five Hundred Dollars (\$33,500.00) shall be used by the State Board of Education for the construc-

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tion of a two-room addition to the present school in Selbyville School District #210-C, said amount to be expended according to the law of the State now in effect regarding the construction of new school buildings.

Section 7. That of the total amount appropriated the sum of Fifteen Thousand Dollars (\$15,000.00) shall be used by the State Board of Education to aid the construction of a new elementary school building for Negro students in Millsboro School District #204-C, in Sussex County, to replace a school building destroyed by fire. For the purpose of making effective the provisions of this Section as the same relate to school construction and in so far as the provisions of Chapter 206 of Volume 36, Laws of Delaware, 1929, are not in conflict with this Act, said provisions of said Chapter 206 shall be given full force and effect; provided that any conflict which may arise shall be submitted to and resolved by the decision of the Governor; and further provided that membership upon any school building commission which is provided for by election in said Chapter 206, Volume 36, shall be deemed amended to authorize the Governor to appoint three members and to authorize the designation of two members from among and by the members of the State Board of Education.

Section 8. That the funds hereby appropriated shall not revert to the State Treasury at the end of any fiscal year but shall remain available for the purposes herein stated until such construction has been completed.

Section 9. That the Governor and the State Treasurer and the Secretary of State of the State of Delaware herein sometimes referred to as the "issuing officers", are hereby authorized, fully empowered and directed, to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of One Million, Six Hundred Sixty-eight Thousand Nine Hundred Eighty-seven Dollars (\$1,668,987.00) to be used for the purpose of providing the State appropriation hereinabove mentioned, and to issue bonds therefor.

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Section 10. That the said bonds, issued in accordance with the provisions of Section 9 of this Act, shall be a direct general obligation of the State, and the public faith and credit of the State is hereby expressly pledged for the full and complete payment of the debt, principal and interest. The principal and interest of the said bonds shall be exempt from taxation by the State or by any political subdivision thereof, for any purpose whatsoever.

Section 11. That the said bonds shall be signed in the name of the State of Delaware by the Governor, the Secretary of State, and the State Treasurer, and shall have the great seal of the State impressed thereon. Attached interest coupons shall be authenticated by the signature or facsimile signature of the State Treasurer. The said bonds may be issued notwithstanding that any of the officers signing them or whose facsimile signature appears on the coupons shall have ceased to hold office at the time of such issue or at the time of the delivery of said bonds.

Section 12. That the said bonds shall recite that they are issued for the purpose set forth in this Act, and that they are issued in pursuance of this Act and the constitution of this State, and such recital shall be conclusive evidence of the authority of the State to issue said bonds and of their validity. Any such bonds containing such recital shall, in any suit, action or proceeding involving their validity, be conclusively deemed to be fully authorized by this Act and to have been issued, executed and delivered in conformity herewith, and shall be incontestable for any cause.

Section 13. That the said bonds shall be in such form and in such denomination and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions, as may be determined by the said "issuing officers".

Section 14. That the said bonds shall bear interest payable semi-annually at a rate of interest not exceeding two per centum (2%) per annum.

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BUILDINGS, GROUNDS AND EQUIPMENT

Section 15. That the said bonds shall mature as the "issuing officers" may determine; provided, however, that the principal amount of said bonds shall be made to fully mature within twenty (20) years from the date of issue thereof.

Section 16. That all money received from the sale of the said bonds of the State of Delaware authorized under the provisions of this Act shall be deposited by the State Treasurer in a special fund at the Farmers' Bank of the State of Delaware, at Dover, to the credit of the State Board of Education, and shall be used exclusively for the purposes set forth in this Act.

Section 17. That the Budget Appropriation Bill enacted and approved by the General Assembly at the One Hundred and Fifteenth Session, and at each and every subsequent biennial session thereof, shall contain under the Debt Service Item provisions for the payment of maturity principal and interest of said bonds issued by virtue of this Act and such revenues of the State of Delaware that are not prohibited by constitutional provisions or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellations of the said bonds and the payment of the interest thereon.

Section 18. If any clause, sentence, paragraph or part of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 19. This shall be known as a Supplementary Appropriation Bill and the funds hereby appropriated shall be paid out of the funds of the State Treasury from moneys not otherwise appropriated.

Approved April 4, 1947.

CHAPTER 172

MIDDLETOWN SCHOOL

ELECTION OF SCHOOL TRUSTEES

AN ACT PROVIDING FOR THE ELECTION OF BOARD OF SCHOOL TRUSTEES OF MIDDLETOWN SCHOOL DISTRICT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 71 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by repealing (but only insofar as the same shall apply to the School District of Middletown, Delaware, New Castle County) the following Section thereof: 2643. Sec. 21.

Section 2. That Chapter 71 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding after 2643. Sec. 21. of said Chapter the following new Section, to be known as 2643B. Sec. 21B., as follows:

2643B. Sec. 21B. In the Middletown School District in New Castle County, as at present constituted, there shall be a Board of School Trustees who shall be representatives of the State Board of Education in said School District, and shall exercise the powers granted to Trustees by this Chapter. The said Board of School Trustees of Middletown School District shall be composed of four members, who shall be citizens of the State of Delaware and residents of the said School District. The Board of School Trustees shall be elected from the residents of the Middletown School District by the qualified voters of that District at the annual election, which shall be held on the second Saturday in May, between the hours of one and five o'clock in the afternoon. The present Board of School Trustees of Middletown School District, shall, by this act, be appointed to serve, and shall act as the Board of School Trustees of said School District from and after the passage hereof, until the Board of School Trustees are duly elected and qualify; and that after the annual election held on the second Saturday of May, 1947, after

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the passage of this Act, four members of the Board of School Trustees in the Middletown School District shall be elected, one of whom shall be elected for one year, one for two years, one for three years and one for four years from the first day of July next succeeding their election; and the person receiving the highest number of votes shall be elected for the term of four years; the person receiving the next highest number of votes, for a term of three years; the person receiving the third highest number of votes, for a term of two years; and the person receiving the fourth highest number of votes, for a term of one year. At each annual election thereafter, the successor of every member of the Board of School Trustees in the Middletown School District shall be elected by the qualified voters of said School District for a term of four years from the first day of July next succeeding their election and until their respective successors qualify.

In the event that there are not any nominations filed for the members of the Board of School Trustees in the Middletown School District, as hereinafter provided, and an election of Board of School Trustees is not held in the Middletown School District on the second Saturday of May, 1947, after the passage of this Act, the present Board of School Trustees in said School District shall, by this Act, be appointed to serve and shall act as the Board of School Trustees for the following term, until the second Saturday in May, 1948, at which time there shall be an election as provided for above, and there shall be elected four members of the Board of Trustees for the terms as provided for above.

The annual school election in the Middletown School District shall be conducted by members of the Board of School Trustees of said District. The Chairman of the Board of School Trustees of the Middletown School District shall preside at the election and two other members of the said Board shall be in charge of the election. Provided, that if, for any reason, one or more of the Board members should be unable to serve as election officers, the said Board of School Trustees shall designate another person or persons, to sit in such capacity, and provided further, that should

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the Board of School Trustees of said School District fail or neglect to provide election officers at such election, the voters present, when the polls open, shall designate and appoint election officers to conduct the election in such School District. A school election shall be held in the principal school house in the said Middletown School District.

At least twenty days before an election as hereinbefore fixed, the Clerk of the Peace of New Castle County shall cause to be published in at least two newspapers published within the County, notice of said School District election, stating the offices to be filled, the date when the nomination shall be filed, and the date and place of said School District Election. The Clerk of the Peace of New Castle County shall also cause like notices to be posted in at least three public places in said School District.

At least fifteen days before the date of the election, as hereinbefore fixed, nominations shall be filed with the Clerk of the Peace of New Castle County. The said nomination shall be in writing signed by at least fifteen citizens and residents of the said School District. The school election shall be by ballot and the Clerk of the Peace shall cause to be printed ballots which shall contain the names of all persons nominated which shall be entered alphabetically and without Party designation. The Clerk of the Peace shall deliver or cause to be delivered such ballots to the persons appointed or selected to hold the election on or before the opening of the polls, and every qualified voter calling for a ballot shall receive one from the persons holding the election.

Every person desiring to vote at said election shall have all the qualifications as provided for by Article 17 of this Chapter. The voters shall not vote for more candidates than are to be voted for at the election, and in voting shall cross out the names of all candidates which he or she does not desire to vote for. Upon the close of the election, the votes shall be read and counted publicly, and the persons having the highest number of votes for each office shall be decreed duly elected to the offices for the term

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stated. In case of a tie, the persons holding the election shall, by majority vote, decide which of the candidates so tied shall be elected.

The Election Board shall enter in a book to be provided for that purpose, a minute of the election, containing the names of the persons voting, the names of the persons chosen, shall subscribe the form, and shall give to the persons elected certificates of election, which book, containing such minutes, shall be preserved by the Board of School Trustees of said School District, and it shall be evidence in any Court of Law and Equity. All ballots cast and the records of the election shall be preserved in the custody of the election Board for a period of ten days. The ballots and other needed election supplies shall be provided by the Clerk of the Peace and paid for by the Levy Court of New Castle County, including the costs of publication and notices.

A vacancy on a Board of School Trustees for any cause shall be filled by the remaining members of the Board of School Trustees for the unexpired term. Any member ceasing to be a resident of his respective School District, his office, thereupon becomes vacant.

Approved April 4, 1947.

CHAPTER 173

NEW CASTLE COUNTY BOARD OF ASSESSMENT

COMPENSATION OF MEMBERS

AN ACT TO AMEND CHAPTER 44, ARTICLE 2, SECTION 5 OF THE REVISED CODE OF DELAWARE, 1935, RE- LATING TO COMPENSATION OF MEMBERS OF THE BOARD OF ASSESSMENT FOR NEW CASTLE COUNTY.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 44, Article 2, Section 5 of the Revised Code of Delaware, 1935, being Section 1262 of said Revised Code, relating to compensation of members of the Board of Assessment for New Castle County, be and the same is hereby amended by striking out of said Section, Article and Chapter the words "Three Thousand Dollars" and inserting in lieu thereof the words "Four Thousand Dollars".

Approved April 4, 1947.

CHAPTER 174

JUVENILE DELINQUENTS AND PROBATION

APPEALS FROM JUDGE OF JUVENILE COURTS OF KENT AND
SUSSEX COUNTIES**AN ACT TO AMEND CHAPTER 116 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, ENTITLED,
"JUVENILE DELINQUENTS AND PROBATION" WITH
REFERENCE TO APPEALS FROM THE JUDGE OF THE
JUVENILE COURT OF KENT AND SUSSEX COUNTIES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Article 2 of Chapter 116 of the Revised Code of Delaware, 1935, as amended, shall be and is hereby further amended by enacting and inserting at the end of 4339. Sec. 24. thereof a new sentence, as follows:

Whenever an appeal as herein provided is taken from an order or decision of the Judge of the Juvenile Court of Kent and Sussex Counties, such appeal shall be made to the Resident Associate Judge of the County wherein the particular case arose and was heard.

Approved April 4, 1947.

CHAPTER 175

JUVENILE DELINQUENTS AND PROBATION

COMMITMENT OF CHILDREN UNDER THE AGE OF EIGHTEEN TO
CUSTODY OF DELAWARE COMMISSION FOR THE FEEBLE MINDED

**AN ACT TO AMEND CHAPTER 116 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, ENTITLED
"JUVENILE DELINQUENTS AND PROBATION", RE-
LATING TO THE COMMITMENT OF CHILDREN UNDER
THE AGE OF EIGHTEEN YEARS TO THE CUSTODY OF
THE DELAWARE COMMISSION FOR THE FEEBLE
MINDED.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (two-thirds
of all the members elected to each House concurring therein):*

Section 1. That Chapter 116 of the Revised Code of Delaware, 1935, as amended, shall be and is hereby further amended by adding after 4352. Sec. 37. a new section to be known and designated 4352A. Sec. 37A.

4352A. Sec. 37A. The Juvenile Court for Kent and Sussex Counties shall have concurrent jurisdiction relative to admissions and commitments to the custody of the Delaware Commission for the Feeble Minded as provided by Article 12, Chapter 70, of the Revised Code of Delaware, 1935, as amended, in the case of children under the age of eighteen years who have been found to be delinquent, dependent or neglected by said Court.

Approved April 4, 1947.

CHAPTER 176

RIGHT OF AN ACCUSED PERSON TO BE TRIED BY COURT OF
COMMON PLEAS OF KENT COUNTY

AN ACT TO AMEND CHAPTER 170 OF THE REVISED CODE OF DELAWARE, 1935, IN REFERENCE TO THE RIGHT OF AN ACCUSED PERSON TO ELECT TO BE TRIED BY THE COURT OF COMMON PLEAS FOR KENT COUNTY; DUTY OF THE JUSTICE OF THE PEACE AND THE ARRESTING OFFICER TO ADVISE THE ACCUSED OF HIS RIGHT TO SO ELECT; EFFECT UPON JURISDICTION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 170 of the Revised Code of Delaware, 1935, be and the same is hereby amended, by striking out of 5839. Sec. 18. the first paragraph on page 1197 of the said Code and enacting in lieu thereof a new paragraph as follows, to wit:

The Court shall also have and may exercise the same jurisdiction and powers in criminal matters as is now or may hereafter be vested in Justices of the Peace for Kent County; provided, however, that the accused, in all cases where the Justice of the Peace of Kent County now has jurisdiction and power to hear and finally determine the matter, shall have the right to elect to have the case tried by the Court of Common Pleas for Kent County, and it shall be the duty of every Justice of the Peace for Kent County, and the officer making the arrest to advise such accused of his right to so elect, and every officer making the arrest and every Justice of the Peace for Kent County is hereby required to so advise the accused before the said Justice of the Peace shall have jurisdiction and power to try the case.

Approved April 4, 1947.

CHAPTER 177

STATE REVENUE

ELIMINATING THE TAX UPON GASOLINE TAX PAID TO STATE

AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, RELATING TO MERCHANTS BY ELIMINATING THE TAX UPON GASOLINE TAX PAID OR PAYABLE TO THE STATE OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Sec. 139. of said Chapter 6 of the Revised Code of Delaware, 1935, being Code Section 173 of said Code, as amended, be and the same is hereby amended by striking out all of that certain paragraph of said Code Section 173. beginning with the words, "That the aggregate" and ending with the words "as therein stated" as the said paragraph appears at the bottom of Page 55 and the top of Page 56 of said Chapter 6 of the Revised Code of Delaware, 1935, and substituting in lieu thereof a new paragraph as follows:

That the aggregate cost value of all such merchandise, produce, goods, wares, or any property of whatever description, which for the purpose of this section shall exclude all gasoline taxes paid or payable to the State under the provisions of Chapter 6, Revised Code of Delaware, 1935, which such individual, co-partnership, firm or corporation or other association of persons, shall have purchased for sale in the course of the business of buying and selling merchandise for cash or by barter, or of prosecuting, following or carrying on a retail or wholesale business by purchasing and selling produce, goods, wares, or any property of whatever description, including all merchandise, produce, goods, wares, or any property of whatever description, coming into or at any time within this State, and trans-shipment of original packages, during the year last passed, did not exceed a certain sum as therein stated.

Approved April 4, 1947.

CHAPTER 178

LEWES

AUTHORIZING BOND ISSUE FOR CONSTRUCTION OF
IMPROVEMENTS ON NORTH BEACH**AN ACT TO AUTHORIZE COMMISSIONERS OF LEWES TO
ISSUE CERTIFICATES OF INDEBTEDNESS TO PRO-
VIDE FOR THE EXPENSE OF CONSTRUCTION AND
COMPLETION OF IMPROVEMENTS TO THE WATER
SYSTEM AND ELECTRIC SYSTEM ON THE NORTH
BEACH AT LEWES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (two-thirds
of the members of each Branch concurring therein):*

Section 1. The Commissioners of Lewes, a municipal corporation, is hereby authorized and empowered to prepare and issue certificates of indebtedness not exceeding in the aggregate the sum of Fifty Thousand Dollars (\$50,000.00) of such denominations or amounts, in such form, and bearing such rate of interest, not to exceed the legal rate, and with such dates of maturity as may be deemed expedient and proper.

Section 2. The certificates of indebtedness shall all bear the same date, and shall be in such amounts as may be paid as nearly as may be calculated from the current revenues of the Board of Public Works of the Town of Lewes; and they shall contain a provision whereby the entire issue of said certificates of indebtedness or any part thereof, may at the option of Commissioners of Lewes, be paid at any time.

Section 3. The said certificates of indebtedness shall be signed by the President of the Commissioners of Lewes, shall be attested by its Secretary and under its corporate seal. The secretary shall keep a record of each of said certificates of indebtedness containing the time thereof, the amount, the date of issue, the rate of interest, and the time when each shall have been paid.

Section 4. None of said certificates of indebtedness shall be issued or delivered for any purpose except in respect to the

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AUTHORIZING BOND ISSUE FOR CONSTRUCTION OF
IMPROVEMENTS ON NORTH BEACH

expenses incurred by reason of the construction of improvements to the water system and electric system on the North beach at Lewes.

Section 5. Before any bonds shall be issued under the provisions of this Act, a special election shall be held in the same place and in the same manner as other town elections. Notice of said election shall be given by advertisements in the nearest County newspaper and by posting notices in at least ten public places in said town at least two weeks before the said election, which said advertisements and notices shall state the time and place of the election and the amount of bonds proposed to be issued, and the purpose for which the said money is to be borrowed. At said election every person paying town taxes in the said town shall be entitled to vote and shall have one vote for each dollar or fractional part of a dollar of taxes paid by him or her according to the last assessment in the said town, and for the purposes of this election residence shall not be a qualification to voting in the said town. At said election the ballots used shall have written or printed thereon the words "for the bond issue", or the words "against the bond issue". If at such election a majority of the votes cast shall be for the bond issue, then bonds to the amount voted on may be issued as in this Act provided but if at such election the majority shall be against the bond issue, then no bonds shall be issued nor money borrowed under this Act.

Approved April 4, 1947.

CHAPTER 179

BOARD OF GAME AND FISH COMMISSIONERS

INCREASING PERCENTAGE OF INCOME TO BE EXPENDED ON
THE LIBERATION OF PROTECTED WILDLIFE

AN ACT TO AMEND CHAPTER 74, 2804. SECTION 3 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE DUTIES, POWERS AND RESTRICTIONS OF THE BOARD OF GAME AND FISH COMMISSIONERS SO AS TO INCREASE THE PERCENTAGE OF SAID BOARD'S INCOME TO BE EXPENDED ON THE LIBERATION OF PROTECTED WILDLIFE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 2804. Section 3 of the Revised Code of the State of Delaware, 1935, be and the same is hereby amended by striking out the third sentence of said Section and inserting in lieu thereof the following:

The Board shall liberate or cause to be liberated a given number of protected wildlife each year, beginning with its fiscal year ending June, 1947, having a valuation of at least 40% of the gross income which inured to said Board during its past fiscal year.

Approved April 4, 1947.

CHAPTER 180

RACCOONS

**AN ACT IN RELATION TO TRAPPING AND TAKING OF
RACCOONS IN NEW CASTLE COUNTY.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That on and after the passage of this Act it shall be lawful for any person or persons to trap or take raccoons from any lands in New Castle County from November 1 to March 15 next following.

Section 2. All Acts or parts of Acts inconsistent hereto are hereby repealed insofar as such inconsistency exists.

Approved April 4, 1947.

CHAPTER 181

ELECTIONS

ABSENTEE VOTING

AN ACT TO AMEND CHAPTER 118, VOLUME 44, LAWS OF DELAWARE, AS AMENDED, ENTITLED, "AN ACT TO PERMIT VOTING BY PERSONS NOT PRESENT AT THE POLLING PLACES, UNDER CERTAIN CIRCUMSTANCES AND CONDITIONS", TO PROVIDE FOR THE DELIVERY OF BALLOTS TO ABSENTEE VOTERS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 4, Chapter 118, Volume 44, (1943), as amended, be and the same is hereby further amended by repealing all of the said Section and by enacting a new Section in lieu thereof, as follows:

Section 4. Upon receipt of such a request from an elector, the Department of Elections, not more than sixty nor less than three days prior to a general election and within three days after the ballots, envelopes and instructions for absentee voters become available, as provided by the general election law, as amended, shall mail to the elector, postage prepaid, an official ballot for the proper Representative District in which such elector resides; or, such Department shall deliver such a ballot personally, not more than thirty days nor later than the regular office hours of the day prior to the day of the election, accompanied by an "official envelope", a voucher envelope, a carrier return envelope addressed to the Department of Elections and a copy of "Instructions to Absentee Voters", as herein prescribed.

Section 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved April 4, 1947.

CHAPTER 182

DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY

AN ACT TO AMEND CHAPTER 57 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1745. Sec. 1. Chapter 57 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby repealed and a new Section substituted in lieu thereof, as follows:

1745. Sec. 1. For the objects and purposes hereinafter set forth, there shall be appointed, in the manner hereinafter set forth, eleven persons who shall be members of and constitute a Department of Elections for New Castle County and with the powers and duties prescribed in the Sections following.

Section 2. That 1745A. Sec. 1A. Chapter 57 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby repealed and a new Section substituted in lieu thereof to be known as 1745A. Sec. 1A., as follows:

1745A. Sec. 1A. That there shall be a Department of Elections for New Castle County which shall be composed of eleven members and shall have jurisdiction over all matters and things now vested in the Department of Elections for New Castle County as now constituted, and shall possess, enjoy and exercise all and every the rights, powers and privileges which are now held, possessed, enjoyed and exercised by the Department of Elections of New Castle County, as fully and completely as the said Department of Elections now by law is authorized so to do, and such other rights, powers and privileges as by this Act conferred, and by any law of this State now or hereafter enacted not inconsistent with the provisions of this Chapter.

DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY

Section 3. That 1746. Sec. 2. Chapter 57 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby repealed, and a new Section substituted in lieu thereof to be known as 1746. Sec. 2 as follows:

1746. Sec. 2. There shall be appointed eleven members of the Department of Elections for New Castle County, on the fifteenth day of April, 1947, and every four years thereafter on the fifteenth day of April, five members of which are to be nominated by the State Chairman of one of the two leading political parties; five members of which are to be nominated by the State Chairman of the other of the two leading political parties; and one member of which is to be nominated by the Governor. All of the members so nominated shall be appointed by the Governor as members of the Department of Elections. There shall never be more than six members of any one political party or faith. When any member ceases to hold office in the Department due to death, resignation, or for any other cause whatsoever other than the expiration of a full term, the nominating authority which originally nominated that member shall nominate a successor to fill the vacancy which nominee shall be appointed by the Governor for the residue of the term.

No person shall be eligible to appointment as a member of the said Department of Elections who is not a citizen of the United States of America and a resident of New Castle County, and who has not resided in the State of Delaware for a term of five years next preceding his appointment. No member of the Department shall hold a State or County elective office during his membership in the Department.

Each member of the said Department shall, before entering upon his duties, and within five days from the time of his appointment take and subscribe and file in the Office of the Clerk of the Peace of New Castle County the oath or affirmation prescribed by the Constitution. Within 10 days of the date of their appointment, and bi-annually thereafter, the members of the said Department shall meet and organize by electing one of their members to be president of the Department and they shall at the same time elect a secretary who need not be a member of

DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY

the Department. The terms of office of the president and secretary shall be two years from the date of such organization. Six members shall constitute a quorum for the transaction of business. The said Department shall have power to make rules for its government not inconsistent with the Constitution and laws of this State.

Each member of the Department of Elections for New Castle County shall receive as compensation for his services a salary of \$750.00 per annum. The salary of the secretary shall be fixed by the Department and shall not exceed \$4500.00 per annum. The salaries of the members of the Department and the secretary thereof shall be paid by the Levy Court of New Castle County in the same manner as County officers are paid; provided, however, in every year in which a municipal election is held in the City of Wilmington, the salaries of the members and secretary shall be paid in the same manner as by law provided for the payment of officers of the City of Wilmington.

Section 4. All members of the Department of Elections and all employees thereof prior to the effective date of this Act, shall continue to be members and employees thereof, respectively, until the members of the Department of Elections as appointed under Section 3 hereof shall be appointed and qualified and shall have organized as such.

Section 5. This Act shall become effective on April 15, 1947.

Approved April 4, 1947

CHAPTER 183

DEPARTMENT OF ELECTIONS FOR KENT COUNTY

AN ACT TO AMEND AN ACT TO CREATE A DEPARTMENT
OF ELECTIONS FOR KENT COUNTY.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Section 1, Chapter 148, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by striking out the words "three members" and inserting in lieu thereof the words "five members".

Section 2. That Section 2, Chapter 148, Volume 45, Laws of Delaware, 1945, be and the same is hereby repealed and a new Section substituted in lieu thereof, to be known as Section 2, as follows:

Section 2. **Appointment of Members; Terms of Office:—**The Department of Elections for Kent County hereby established and constituted shall, from and after the effective date of this Act, consist and be composed of five members to be appointed for a term of four years as hereinafter specified, and the said five persons shall constitute and be the Department of Elections for Kent County.

Section 3. That Section 3, Chapter 148, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by repealing all of Section 3 thereof, and substituting in lieu thereof a new Section to be known as Section 3 thereof, as follows:

Section 3. **Oaths; Organization:—**Within ten days after the appointment of the members, as herein provided, the members shall take and subscribe the oath or affirmation prescribed by the Constitution. They shall meet and organize by electing one of their members to be president. They shall also elect a secretary, who need not be a member of the Department. The president and secretary so elected shall serve until their successors are duly elected.

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Section 4. That Section 4, Chapter 148, Volume 45, Laws of Delaware, 1945, be and the same is hereby repealed and substituted in lieu thereof a new Section to be known as Section 4 thereof, as follows:

Section 4. Members; How Appointed:—There shall be appointed five members of the Department of Elections for Kent County, on or before the first day of June, 1947, and every four years thereafter on or before the first day of June, two members of which are to be nominated by the State Chairman of one of the two leading political parties; two members of which are to be nominated by the State Chairman of the other of the two leading political parties; and one member is to be nominated by the Governor. All of the members so nominated shall be appointed by the Governor as members of the Department of Elections. There shall never be more than three members of any one political party or faith. When any member ceases to hold office in the Department due to death, resignation or any other cause whatsoever, other than the expiration of a full term, the nominating authority which originally nominated that member shall nominate a successor to the vacancy, which nominee shall be appointed by the Governor for the residue of the term.

Section 5. That Section 5, Chapter 148, Volume 45, Laws of Delaware, 1945, be and the same is hereby repealed, and substituted in lieu thereof a new Section to be known as Section 5 thereof, as follows:

Section 5. Qualifications; Organization; Terms of Officers; Salaries, How Paid:—No person shall be eligible who is not a citizen of the United States of America and a resident of Kent County, and who has not resided in the State of Delaware for a period of five years next preceding his appointment. No member shall hold a State or County elective office during his membership in the Department. Commencing with the third Monday in June, 1947, and bi-annually thereafter, the members of the said Department shall meet and organize by electing one of their members to be president of the Department, and they shall, at the same time, elect a secretary, who need not be a member of the Department. The terms of office of the president and secre-

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tary shall be two years from the date of such organization. Three members shall constitute a quorum for the transaction of business. The said Department shall have power to make rules for its government not inconsistent with the Constitution and laws of the State.

Each member of the said Department of Elections shall receive as compensation for his services a salary of \$750.00 per annum; the secretary thereof shall receive such compensation for his services as shall be fixed by the Department of Elections, not to exceed the sum of \$2,500.00 per annum. The salaries of the members of the Department of Elections and secretary thereof, shall be paid by the Levy Court of Kent County in the same manner as County officers are paid. The expenses of the Department shall be paid by the Levy Court of Kent County on vouchers signed by the president and secretary of the Department.

Section 6. All members of the Department of Elections and all employees thereof, prior to the effective date of this Act, shall continue to be members and employees thereof, respectively, until the members of the Department of Elections as appointed under Section 4 hereof shall be appointed and qualified and shall have organized as such.

Section 7. This Act shall become effective on June 1, 1947.

Approved April 4, 1947.

CHAPTER 184

DEPARTMENT OF ELECTIONS FOR SUSSEX COUNTY
AN ACT TO AMEND AN ACT TO CREATE A DEPARTMENT
OF ELECTIONS FOR SUSSEX COUNTY.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Section 1, Chapter 149, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by striking out the words "three members" and inserting in lieu thereof the words "five members".

Section 2. That Section 2, Chapter 149, Volume 45, Laws of Delaware, 1945, be and the same is hereby repealed and a new Section substituted in lieu thereof, to be known as Section 2, as follows:

Section 2. **Appointment of Members; Terms of Office:**—The Department of Elections for Sussex County hereby established and constituted shall, from and after the effective date of this Act, consist and be composed of five members to be appointed for a term of four years as hereinafter specified, and the said five persons shall constitute and be the Department of Elections for Sussex County.

Section 3. That Section 3, Chapter 149, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by repealing all of Section 3 thereof, and substituting in lieu thereof a new Section to be known as Section 3 thereof, as follows:

Section 3. **Oaths; Organization:**—Within ten days after the appointment of the members, as herein provided, the members shall take and subscribe the oath or affirmation prescribed by the Constitution. They shall meet and organize by electing one of their members to be president. They shall also elect a secretary who need not be a member of the Department. The president and secretary so elected shall serve until their successors are duly elected.

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Section 4. That Section 4, Chapter 149, Volume 45, Laws of Delaware, 1945, be and the same is hereby repealed and substituted in lieu thereof a new Section to be known as Section 4 thereof, as follows:

Section 4. Members; How Appointed:—There shall be appointed five members of the Department of Elections for Sussex County, on or before the first day of June, 1947, and every four years thereafter on or before the first day of June, two members of which are to be nominated by the State Chairman of one of the two leading political parties; two members of which are to be nominated by the State Chairman of the other of the two leading political parties; and one member is to be nominated by the Governor. All of the members so nominated shall be appointed by the Governor as members of the Department of Elections. There shall never be more than three members of any one political party or faith. When any member ceases to hold office in the Department due to death, resignation or any other cause whatsoever, other than the expiration of a full term, the nominating authority which originally nominated that member shall nominate a successor to the vacancy which nominee shall be appointed by the Governor for the residue of the term.

Section 5. That Section 5, Chapter 149, Volume 45, Laws of Delaware, 1945, be and the same is hereby repealed, and substituted in lieu thereof a new Section to be known as Section 5 thereof, as follows:

Section 5. Qualifications; Organization; Terms of Officers; Salaries, How Paid:—No person shall be eligible who is not a citizen of the United States of America and a resident of Sussex County, and who has not resided in the State of Delaware for a period of five years next preceding his appointment. No member shall hold a State or County elective office during his membership in the Department. Commencing with the third Monday in June, 1947, and bi-annually thereafter, the members of the said Department shall meet and organize by electing one of their members to be president of the Department, and they shall, at the same time, elect a secretary who need not be a member of the Department. The terms of office of the president and secre-

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tary shall be two years from the date of such organization. Three members shall constitute a quorum for the transaction of business. The said Department shall have power to make rules for its government not inconsistent with the Constitution and laws of the State.

Each member of the said Department of Elections shall receive as compensation for his services a salary of \$750.00 per annum; the secretary thereof shall receive such compensation for his services as shall be fixed by the Department of Elections, not to exceed the sum of \$2,500.00 per annum. The salaries of the members of the Department of Elections and secretary thereof, shall be paid by the Levy Court of Sussex County in the same manner as County officers are paid. The expenses of the Department shall be paid by the Levy Court of Sussex County on vouchers signed by the president and secretary of the Department.

Section 6. All members of the Department of Elections and all employees thereof prior to the effective date of this Act shall continue to be members and employees thereof, respectively, until the members of the Department of Elections as appointed under Section 4 hereof shall be appointed and qualified and shall have organized as such.

Section 7. This Act shall become effective on June 1, 1947.

Approved April 4, 1947.

CHAPTER 185

BUREAU OF REGISTRATION FOR NEW CASTLE COUNTY

AN ACT TO AMEND AN ACT TO CREATE A BUREAU OF
REGISTRATION FOR NEW CASTLE COUNTY.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 144, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by striking out of Section 1 thereof, the word "three members" and inserting in lieu thereof, the words "eleven members".

Section 2. That Chapter 144, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by striking out and repealing all of Sections 2, 3, 4, and 5 thereof, and inserting in lieu thereof a new Section to be known as Section 2 thereof, as follows:

Section 2. Members; Organization; Salaries and Expenses; How Paid:—The members of the Department of Elections for New Castle County as constituted from time to time after April 15, 1947, shall constitute from and after the effective date of this Act the Bureau of Registration for New Castle County. The president of the Department of Elections shall be the president of the Bureau of Registration. Within 10 days after April 15, 1947, and bi-annually thereafter, the Bureau of Registration shall elect a secretary who need not be a member of the Bureau of Registration. The members of the Bureau of Registration shall receive no compensation for their services as such other than their compensation as members of the Department of Elections. The secretary of the Bureau of Registration shall receive a salary to be fixed by the Bureau not to exceed \$3600.00 per annum, which salary shall be paid by the Levy Court of New Castle County in the same manner as County Officers are paid. The expenses of the Bureau shall be paid by the Levy Court of New Castle County on vouchers signed by the president and secretary of the Bureau.

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Section 3. All members of the Bureau of Registration and employees thereof prior to the effective date of this Act shall continue to be members and employees thereof, respectively, until the members of the Bureau of Registration shall organize as such.

Section 4. This Act shall become effective on April 15, 1947.

Approved April 4, 1947.

CHAPTER 186

NEGLIGENT HOMICIDE

AN ACT TO AMEND CHAPTER 149 OF THE REVISED CODE OF DELAWARE, 1935, BY ADDING A NEW SECTION TO BE KNOWN AS SECTION 25, RELATING TO THE CRIME OF NEGLIGENT HOMICIDE.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 149 of the Revised Code of Delaware, 1935, as amended be and the same is hereby further amended by adding to and enacting a new Section to be known and styled as 5180a. Section 25 of said Chapter 149.

5180a. Sec. 25. **Negligent Homicide by Motor Vehicle; Penalty:**—Every person who through the operation of a motor vehicle in reckless disregard of the safety of others shall cause injury to another person, which injury shall be the proximate cause of the death of the person within one year from such injury shall be deemed guilty of negligent homicide, and upon conviction thereof, shall be fined not less than One Hundred nor more than One Thousand Dollars, or shall be imprisoned for a term of not more than one year, or both, at the discretion of the Court, provided that nothing contained herein shall modify or affect the laws relating to death resulting from the perpetration or attempt to perpetrate a crime. The provisions hereof shall include, but shall not be restricted to, owners of motor vehicles who permit such vehicles to be operated where any such vehicle is known by such owner to be in a dangerous and unsafe condition for operation.

Approved April 4, 1947.

CHAPTER 187

NEGLIGENT HOMICIDE

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, BY ADDING THERETO A NEW PARAGRAPH RELATING TO NEGLIGENCE HOMICIDE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding to and enacting a new paragraph to 5605 Sec. 67. thereof to be known as paragraph (8) to read as follows:

(8) Negligent Homicide as defined in Chapter 149, Section 25, of the Revised Code of Delaware, 1935, as amended.

Approved April 4, 1947.

CHAPTER 188

ESTABLISHING STATE HEALTH AND WELFARE
CENTER AT FORT DUPONT

AN ACT TO AMEND CHAPTER 76 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO THE INSANE BY PROVIDING FOR THE ESTABLISHMENT OF A STATE HEALTH AND WELFARE CENTER AT FORT DUPONT, NEW CASTLE COUNTY, DELAWARE, AND PLACING THE SUPERVISION AND CONTROL THEREOF UNDER THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL AT FARNHURST, AND PROVIDING FOR THE SUPPORT OF SAID CENTER AS WELL AS PROVIDING FOR ADMISSIONS AND TRANSFERS THERETO AND RELEASES THEREFROM AND MAKING PROVISION FOR THE PAYMENT OF CARE AND MAINTENANCE BY CERTAIN PERSONS AND BY AUTHORIZING DONATIONS OF PROPERTY TO SAID CENTER AND GIVING PREFERENCES TO VETERANS IN RESPECT TO ADMISSIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 76 of the Revised Code of Delaware, 1935, as amended, be further amended by the addition of another Article to the said Chapter 76 to be designated as follows:

ARTICLE 5

The Delaware State Health and
Welfare Center:

Section 2. That Chapter 76 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by the addition of the following Sections, to wit:

3100A. Sec. 35A. **State Health and Welfare Center; Name and Location:**—A State Health and Welfare Center to be known as "The Delaware State Health and Welfare Center", is hereby established at Fort duPont, Red Lion Hundred, New Castle County, Delaware, and on that certain tract or parcel of

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land more particularly bounded and described in an Act entitled, "An Act to Authorize the Purchase From The United States of America of Fort duPont Together with the Improvements Thereon Erected and Equipment and Supplies Presently Thereon Located and Used in Connection Therewith and to Authorize The Governor to Accept on Behalf of The State of Delaware Conveyances of Said Property Under and Subject to Certain Terms and Conditions Relating to the Use Thereof as well as the Supervision and Control Thereof and Further Ratifying and Confirming all Action of The Governor Heretofore Taken in Respect to the Premises". The said Center shall have the exclusive use of all buildings, structures, utilities and improvements erected on said tract or parcel of land as well as all equipment, supplies and other personal property located on or in any improvement erected thereon for the purposes of said Center as hereinafter described.

3100B. Sec. 35B. **Supervision and Control:**—The State Board of Trustees of The Delaware State Hospital at Farnhurst shall have sole and complete control and management of The Delaware State Health and Welfare Center; shall appoint an Assistant Superintendent of said Center; physicians, specialists, nurses, stewards, matrons, educators and all other necessary assistants and servants and shall fix their terms of service as well as their pay or compensation; shall provide suitable food, raiment, medicine, occupational, vocational, recreational and educational facilities, and all other things necessary for the comfort, care and treatment of the patients of said Center. The Assistant Superintendent of said Center and all other professional assistants and employees shall be directly responsible to the Superintendent of The Delaware State Hospital at Farnhurst, who shall also be the Superintendent of said Center.

The said State Board of Trustees of said Hospital are also authorized and empowered to establish at said Center a mental hygiene clinic to be composed of such professional assistants as may be recommended by the Superintendent of said Hospital; said Superintendent of said Hospital to be the directing head of said clinic.

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3100C. Sec. 35C. State Support; Money, How Drawn; Books and Records, How Kept; Audit of Accounts:—The costs of the maintenance of said Center shall be borne by the State, and shall be paid by the State Treasurer in the manner provided by Section 4 of Article 1 of this Chapter. The said State Board of Trustees of said Hospital shall keep and maintain separate books of account for said Center which together with all vouchers and other financial records of said Center shall be available at all times to the State Auditor for examination and audit and said Auditor is hereby authorized and directed to examine and audit the accounts of said Center at least once in every three months.

3100D. Sec. 35D. Annual Appropriation:—The Legislature shall, at every biennial Session thereof, provide an annual sum for the use and support of said Center which sum shall be paid by the State Treasurer as aforesaid.

3100E. Sec. 35E. Trustees May Alter Improvements or Erect New Improvements; Sell and Purchase Personal Property:—Said Board of Trustees of said Hospital shall have the power to remodel or otherwise alter the improvements on the property described in Section 35A. of this Article and shall likewise have power to construct or cause to be constructed from time to time any additional improvements that may be deemed necessary for said Center. Said Board of Trustees shall also have power to sell from time to time any personal property or equipment on or in said premises whether presently located thereon or hereafter purchased when said Board of Trustees shall determine that any such property is no longer required or needed for the purposes of said Center. In the management of said Center, the said Board of Trustees of said Hospital shall have the power to purchase from time to time any and all equipment and personal property that may be deemed advisable or necessary for the efficient and proper operation and conduct of said Center.

3100F. Sec. 35F. The State Board of Trustees of Said Hospital to Establish Certain Departments; Cooperation of Other State Institutions:—The State Board of Trustees of said Hos-

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pital are hereby authorized to establish under the direction of said State Board of Trustees of said Hospital the following departments at said Center:

(a) A Department for the care and treatment of children between the ages of four and sixteen years, who are either seriously maladjusted or mentally ill and who are amenable to modern care and treatment.

(b) A Department for handicapped or crippled children of this State, including spastics, cardiacs, and children afflicted with infantile paralysis.

(c) A Department for the detention of children awaiting trial in any Court of this State having jurisdiction over dependent, neglected, delinquent or maladjusted children for social psychological and psychiatric study and examination.

(d) A Department for children awaiting assignment to foster homes.

(e) A Department for men and women of all ages who suffer from alcoholism or who are drug addicts and who are without psychosis, either acute or chronic.

(f) A Department for epileptics without psychosis.

(g) A Department for aged persons who are bedridden but without frank psychosis and who require only nursing care.

(h) An Emergency Hospital Unit for the purpose of accommodating and treating victims of a State wide epidemic or a major disaster.

(i) Any other Department which said State Board of Trustees of said Hospital may deem related to health and welfare problems.

The said State Board of Trustees of said Hospital is authorized and empowered to determine the size and accommodations required for any such Department as well as the medical treatment, training and education of patients or persons admitted to

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any such Department as well as any and all other matters or programs looking toward the study, comfort, care and treatment of such patients or persons. Said State Board of Trustees of said Hospital in making any of the aforesaid determinations shall have the right to call upon and receive the cooperation, advice and assistance of any other State Department, Institution or Commission performing educational, health or welfare functions.

3100G. Sec. 35G. **Admissions to Said Center:**—No person shall be admitted to any Department of said Center except as provided in Sec. 35H. of this Article or except as follows:

(a) Children between the ages of four and sixteen years who are either seriously maladjusted or mentally ill and who are amenable to modern care and treatment shall be admitted to said Center upon the application of the parents or the surviving parent or legal guardian of any such child or any institution or agency having the care and custody of any such child or by the commitment of any Court of this State having jurisdiction over such children.

(b) Handicapped or crippled children including spastics, cardiacs and those afflicted with infantile paralysis shall be admitted to said Center upon the application of the parents or the surviving parent or legal guardian of such children and in the event that both parents of such children are deceased and no legal guardian has been appointed, upon the application of any physician or institution or agency treating or having the care or custody of such children.

(c) No child shall be admitted to the Detention Department of said Center unless a court having jurisdiction over dependent, neglected, delinquent or maladjusted children commits any such child for the sole purpose of social, psychological and psychiatric study and examination.

(d) A child awaiting assignment to a foster home shall only be admitted upon the application of any public or private agency having the authority or function to place such children in such homes.

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(e) No man or women suffering from alcoholism or being a drug addict without psychosis, either acute or chronic, shall be admitted to said Center except upon their own application or the application of their parents, or the surviving parent or legal guardian or in the event of none such, upon the application of any physician or institution treating or having the care or custody of any such person or by the commitment of any court of this State having jurisdiction over any such person.

(f) No person who is an epileptic without psychosis shall be admitted to said Center except upon their own application or upon the application of their parents or the surviving parent or legal guardian or in the event of none such, upon the application of any physician or institution treating or having the care or custody of any such person.

(g) No aged person who is bedridden and without frank psychosis and needing nursing care only shall be admitted to said Center except upon their own application or the application of the person or persons responsible for their support and maintenance or upon the application of any institution whether public or private having the care and custody of any such person.

(h) In all other cases, no person shall be admitted to the said Center except in accordance and in compliance with the rules and regulations which shall be adopted from time to time by the said Board of Trustees of said Hospital governing the admissions to said Center.

Notwithstanding anything in this Section contained, no person shall be eligible for admission to said Center, except by commitment of a court having authority to commit any person to said Center, unless and until such person is determined to be eligible for admission by the mental hygiene clinic of The Delaware State Hospital or by a mental hygiene clinic established at said Center; said Board of Trustees of said Hospital is empowered and authorized to make and adopt from time to time reasonable rules and regulations not inconsistent with the provisions of this Article governing the admission of persons to said Center. The said Board of Trustees of said Hospital shall also have the power

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and authority to refuse the admission of any person to said Center, excepting such persons committed by a court having authority under law to make such commitment, when the department to which any such person should be assigned is unable for any reason to accommodate any such person.

3100H. Sec. 35H. Transfer to Center from Other State Institutions:—Any institution of this State may transfer any person whether presently an inmate or who may hereafter become an inmate of any such institution to the said Center provided such person is eligible for transfer in accordance with the provisions of this Article and provided further that any such transfer shall be subject to the rules and regulations governing said Center as made and adopted from time to time by said Board of Trustees of said Hospital, and provided further if any such inmate has been committed to any institution by a court of this State, such institution shall apply to such court for authority to transfer any such person to said center.

3100I. Sec. 35I. Maintenance of Patients at Center; Expenses of Indigent Persons; How Paid:—Any patient or person committed or admitted to said Center shall at all times be liable for the care, maintenance and support furnished to and received by any such person while a patient of said Center. Provided, however, that nothing in this Section shall relieve from liability for the support of any such patient, any person now or hereafter liable under any law of this State. The said Board of Trustees of said Hospital shall have the power and authority to collect from any such patient or out of the property, moneys and effects of any such person, all moneys necessary to discharge and pay all liability of such patient for said care, maintenance and support.

The said Board of Trustees of said Hospital may also proceed for the recovery of said moneys necessary for said care, maintenance and support in an action of debt or assumpsit to be brought in the Superior Court of the State of Delaware in the name of "The State Board of Trustees of The Delaware State Hospital at Farnhurst, for the use of The Delaware State Health and Welfare Center".

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(e) No man or women suffering from alcoholism or being a drug addict without psychosis, either acute or chronic, shall be admitted to said Center except upon their own application or the application of their parents, or the surviving parent or legal guardian or in the event of none such, upon the application of any physician or institution treating or having the care or custody of any such person or by the commitment of any court of this State having jurisdiction over any such person.

(f) No person who is an epileptic without psychosis shall be admitted to said Center except upon their own application or upon the application of their parents or the surviving parent or legal guardian or in the event of none such, upon the application of any physician or institution treating or having the care or custody of any such person.

(g) No aged person who is bedridden and without frank psychosis and needing nursing care only shall be admitted to said Center except upon their own application or the application of the person or persons responsible for their support and maintenance or upon the application of any institution whether public or private having the care and custody of any such person.

(h) In all other cases, no person shall be admitted to the said Center except in accordance and in compliance with the rules and regulations which shall be adopted from time to time by the said Board of Trustees of said Hospital governing the admissions to said Center.

Notwithstanding anything in this Section contained, no person shall be eligible for admission to said Center, except by commitment of a court having authority to commit any person to said Center, unless and until such person is determined to be eligible for admission by the mental hygiene clinic of The Delaware State Hospital or by a mental hygiene clinic established at said Center; said Board of Trustees of said Hospital is empowered and authorized to make and adopt from time to time reasonable rules and regulations not inconsistent with the provisions of this Article governing the admission of persons to said Center. The said Board of Trustees of said Hospital shall also have the power

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and authority to refuse the admission of any person to said Center, excepting such persons committed by a court having authority under law to make such commitment, when the department to which any such person should be assigned is unable for any reason to accommodate any such person.

3100H. Sec. 35H. Transfer to Center from Other State Institutions:—Any institution of this State may transfer any person whether presently an inmate or who may hereafter become an inmate of any such institution to the said Center provided such person is eligible for transfer in accordance with the provisions of this Article and provided further that any such transfer shall be subject to the rules and regulations governing said Center as made and adopted from time to time by said Board of Trustees of said Hospital, and provided further if any such inmate has been committed to any institution by a court of this State, such institution shall apply to such court for authority to transfer any such person to said center.

3100I. Sec. 35I. Maintenance of Patients at Center; Expenses of Indigent Persons; How Paid:—Any patient or person committed or admitted to said Center shall at all times be liable for the care, maintenance and support furnished to and received by any such person while a patient of said Center. Provided, however, that nothing in this Section shall relieve from liability for the support of any such patient, any person now or hereafter liable under any law of this State. The said Board of Trustees of said Hospital shall have the power and authority to collect from any such patient or out of the property, moneys and effects of any such person, all moneys necessary to discharge and pay all liability of such patient for said care, maintenance and support.

The said Board of Trustees of said Hospital may also proceed for the recovery of said moneys necessary for said care, maintenance and support in an action of debt or assumpsit to be brought in the Superior Court of the State of Delaware in the name of "The State Board of Trustees of The Delaware State Hospital at Farnhurst, for the use of The Delaware State Health and Welfare Center".

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The expenses of the care, treatment and maintenance of any indigent person admitted to the Emergency Hospital facilities of said Center shall be paid by the County of which such indigent person was a resident at the time of his or her admission.

3100J. Sec. 35J. Pay Patients; Non-Resident; Resident; Contract for:—The said Board of Trustees of said Hospital shall have full power and authority to receive any person from any other State who shall be able to pay for their care, maintenance and support and who are otherwise eligible for admission to said Center under the provisions of this Article and in accordance with the rules and regulations governing admissions to said Center.

The said Board of Trustees of said Hospital may also receive into said Center any person eligible for admission thereto who is a resident of this State and who may be able to pay for his or her care, maintenance and support. Said Board of Trustees may make contracts in relation to said care, maintenance and support, and may recover from the person with whom it may so contract or from the person admitted, the compensation agreed upon, or, in case no certain compensation was agreed upon, then it may recover a reasonable compensation in an action of debt or assumpsit to be brought in the name of "The State Board of Trustees of The Delaware State Hospital at Farnhurst, for the use of The Delaware Health and Welfare Center".

3100K. Sec. 35K. Release and Discharge of Patients at Said Center:—The said Board of Trustees of said Hospital are authorized and empowered to make and adopt from time to time rules and regulations in respect to the release, whether temporary or permanent, of patients in said Center, except that any person committed to said Center by a court of this State shall not be released from said Center except upon an order from such court. When in the opinion of the Superintendent of said Center a person committed by any such Court is eligible for release, said Board of Trustees of said Hospital may petition such Court for the release of any such patient.

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3100L. Sec. 35L. Moneys Received by Center; to be Kept in a Separate Fund by State Treasurer:—All moneys received by the said Board of Trustees of said Hospital from patients or other persons for the care, treatment, maintenance and support of patients shall be deposited with the State Treasurer who shall deposit the same in a special fund to be captioned, "Delaware State Health and Welfare Center Special Fund", and the said Board of Trustees of said Hospital may withdraw said funds for the use of said Center in the same manner as provided in Section 4 of Article 1 of this Chapter.

3100M. Sec. 35M. Donations of Property; Use of Same:—It shall and may be lawful for any person or persons, firm or corporation to give, grant, devise or bequeath to the said "The State of Delaware for the Use of The Delaware State Health and Welfare Center" any property, real, personal or mixed, and the said State Board of Trustees of said Hospital is authorized and empowered to receive, collect, take and hold for the use and behoof of the said Center any and all properties so given, granted, devised and bequeathed and to manage and use the same for the benefit of said Center in accordance with the provisions of such grants, devises and bequests and with the law creating and governing said Center; provided, however, nothing in this Section contained shall be construed as authorizing or empowering the said Board of Trustees of said Hospital to hold in its name any real estate for the use of said Center and any devise or gift of real estate to be effective shall be made to The State of Delaware for the use of said Center.

3100N. Sec. 35N. Preference to Veterans; Admission:—The said Board of Trustees of said Hospital shall give veterans of World War I and World War II, who are eligible for admission to said Center, a preference over other persons in respect to admission thereto.

Approved April 5, 1947.

CHAPTER 189

APPROPRIATION

RENOVATION AND REPAIR OF BUILDINGS AT FORT DUPONT
AND EQUIPMENT FOR SAME

AN ACT MAKING APPROPRIATIONS TO THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL AT FARNHURST FOR THE RENOVATION AND REPAIR OF THE BUILDINGS AT FORT DU PONT AND EQUIPMENT FOR THE SAME AND FOR MAINTENANCE AND OPERATION EXPENSES DURING THE ENSUING BIENNIUM.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other appropriations made to The State Board of Trustees of The Delaware State Hospital at Farnhurst there is hereby appropriated to the said Board the sum of Eight Hundred and Seventy-five Thousand Dollars (\$875,000.00) to be available immediately upon the passage and approval of this Act, of which sum Seven Hundred and Fifty Thousand Dollars (\$750,000.00) shall be used for renovation and repair of existing buildings and structures at Fort Du Pont, and One Hundred and Twenty-five Thousand Dollars (\$125,000.00) shall be used for equipment necessary to utilize the Fort Du Pont reservation as a Health and Welfare Center.

Section 2. That the further sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) be and the same is hereby appropriated to the State Board of Trustees of The Delaware State Hospital at Farnhurst for maintenance and operation of the Health and Welfare Center to be established at Fort Du Pont for the fiscal year ending on June 30, A. D. 1948 and a like sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) is hereby appropriated to the said Board for maintenance and operation of the said Health and Welfare Center for the fiscal year ending on June 30, A. D. 1949.

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Section 3. The funds hereby appropriated shall be expended under the direction of The State Board of Trustees of The Delaware State Hospital at Farnhurst and shall be paid out by the State Treasurer upon warrants duly approved by the proper officers of said Board.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 5, 1947.

CHAPTER 190

APPROPRIATION

ESTABLISHMENT OF A DEPARTMENT FOR THE CRIMINALLY INSANE

AN ACT TO AMEND CHAPTER 76 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "IN-SANE", BY MAKING PROVISION FOR THE ESTABLISHMENT OF A DEPARTMENT AT THE DELAWARE STATE HOSPITAL AT FARNHURST FOR CRIMINALLY INSANE ADULTS, CRIMINALLY INCLINED JUVENILES, AND FEEBLE-MINDED PERSONS WHO MAY BE CRIMINALLY INCLINED; MAKING AN APPROPRIATION THEREFOR AND AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY AND ISSUE BONDS FOR PAYMENT OF THE MONEY SO APPROPRIATED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House concurring therein):

Section 1. That the State Board of Trustees of the Delaware State Hospital at Farnhurst is hereby authorized, empowered and directed to establish at the said hospital a new department for criminally insane adults, and criminally inclined juveniles, regardless of their mental capacity, said department to be established on the present grounds of the hospital.

Section 2. All criminally insane adults and criminally inclined juveniles shall be admitted to this department to be created at the hospital when committed by any court of the State of Delaware having jurisdiction over the persons so committed.

Section 3. The governing authorities of any institution of the State of Delaware to which persons already have been committed who classify for admission under the terms of this Act may petition any court of competent jurisdiction in the State of Delaware praying an order to remove inmates of said institution or institutions to the Department for criminally insane at the Delaware State Hospital. Upon the recommendation of the State Psychiatrist and after such hearing as the court may deem proper, any court of competent jurisdiction in the State of Delaware shall have the power to order such criminally insane adult or

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criminally inclined juvenile to be committed to the Delaware State Hospital for treatment in the Department for the criminally insane.

Section 4. The expenses of the removal of a criminally insane adult or a criminally inclined juvenile and of his admission to the Delaware State Hospital, and the charges and expense for the maintenance and care at the Delaware State Hospital, shall be paid by the institution which had charge of such case. Where such persons are committed by the proper courts otherwise than from an institution of the state then in the case of such commitment, the Levy Court of the County where the person so committed was a resident at the time of the commitment shall pay the Delaware State Hospital for such removal, admission, maintenance and care. If any such criminally insane adult or criminally inclined juvenile shall have any real or personal estate, said Board of Trustees of the said Hospital shall have, for the expenses and charges so incurred as aforesaid, the same remedy as is provided in Section 11 of Chapter 76 of the Revised Code of Delaware, 1935, as amended.

Section 5. The State Board of Trustees of the Delaware State Hospital at Farnhurst is hereby authorized, empowered and directed to erect on the grounds of the State Hospital a new building to accommodate sixty or sixty-five adults and juveniles who may be committed to the said institution by the courts of the State, under the provisions of this Act.

Section 6. There is hereby appropriated to the State Board of Trustees of the Delaware State Hospital at Farnhurst the sum of Two Hundred and Forty Thousand Dollars (\$240,000.00), or so much thereof as may be necessary, out of the proceeds of a bond issue authorized to provide the necessary funds for the purpose of this Act. The funds so appropriated shall not revert to the General Fund of the State Treasury at the end of any fiscal year but shall remain and be available for the purpose indicated until the same has been expended.

Section 7. That the Governor and the State Treasurer and the Secretary of State of the State of Delaware herein sometimes

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referred to as the "issuing officers", are hereby authorized, fully empowered and directed, to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of Two Hundred and Forty Thousand Dollars (\$240,000.00) which shall be used for the purposes set forth in this Act entitled, "An Act to Amend Chapter 76 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Insane', by Making Provision for the Establishment of a Department at the Delaware State Hospital at Farnhurst for Criminally Insane Adults, Criminally Inclined Juveniles, and Feeble-minded Persons who may be Criminally Inclined; Making an Appropriation Therefor and Authorizing the State of Delaware to Borrow Money and Issue Bonds for Payment of the Money so Appropriated".

Section 8. That the said bonds, issued in accordance with the provisions of this Act, shall be a direct general obligation of the State, and the public faith and credit of the State is hereby expressly pledged for the full and complete payment of the debt, principal and interest. The principal and interest of the said bonds shall be exempt from taxation by the State or by any political subdivision thereof, for any purpose whatsoever.

Section 9. That the said bonds shall be signed in the name of the State of Delaware by the Governor, the Secretary of State, and the State Treasurer, and shall have the great seal of the State impressed thereon. Attached interest coupons shall be authenticated by the signature or facsimile signature of the State Treasurer. The said bonds may be issued notwithstanding that any of the officers signing them or whose facsimile signature appears on the coupons shall have ceased to hold office at the time of such issue or at the time of the delivery of said bonds.

Section 10. That the said bonds shall recite that they are issued for the purpose set forth in this Act, and that they are issued in pursuance of this Act and the constitution of this State, and such recital shall be conclusive evidence of the authority of the State to issue said bonds and of their validity. Any such bonds containing such recital shall, in any suit, action or proceeding involving their validity, be conclusively deemed to be

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fully authorized by this Act and to have been issued, executed and delivered in conformity herewith, and shall be incontestable for any cause.

Section 11. That the said bonds shall be in such form and in such denomination and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions, as may be determined by the said "issuing officers".

Section 12. That the said bonds shall bear interest payable semi-annually at a rate of interest not exceeding two per centum (2%) per annum.

Section 13. That the said bonds shall mature as the "issuing officers" may determine; provided, however, that beginning after June 30, 1947, not less than Twelve Thousand Dollars (\$12,000.00) of the principal debt hereby authorized shall be paid each year until the total of the said debt is fully paid.

Section 14. That all money received from the sale of the said bonds authorized under the provisions of this Act shall be deposited by the State Treasurer in a Special Fund, at the Farmers' Bank of the State of Delaware, at Dover, to be opened by him for such purpose, and shall be used exclusively for the purpose set forth in this Act, and shall be allocated to the Board of Trustees of the Delaware State Hospital.

Section 15. That the Budget Appropriation Bill enacted and approved by the General Assembly at the One Hundred and Fifteenth Session, and at each and every subsequent biennial session thereof, shall contain under the Debt Service Item provisions for the payment of maturity principal and interest of said bonds issued by virtue of this Act and of such revenues of the State of Delaware that are not prohibited by constitutional provisions or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellations of the said bonds and the payment of the interest thereon.

Approved April 5, 1947.

CHAPTER 191

APPROPRIATION

ACQUISITION OF LANDS IN DOVER FOR STATE PURPOSES

AN ACT MAKING PROVISION FOR THE ACQUISITION OF CERTAIN ADDITIONAL LANDS AND EASEMENTS IN THE CITY OF DOVER FOR THE STATE OF DELAWARE, TO BE USED FOR BUILDINGS AND GROUNDS AND FOR OTHER STATE PURPOSES, AND MAKING AN APPROPRIATION THEREFOR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Building and Grounds Commission as created and established by Chapter 211, Volume 44, Laws of Delaware, 1943, shall be vested with the powers and duties in this Act declared. Whenever hereafter in this Act the word "Commission" is used it shall have reference to the said State Building and Grounds Commission.

Section 2. The Commission shall, for and in the name of the State of Delaware, acquire by purchase, gift, or condemnation all or so much and such portion of the land and premises situated in the City of Dover as the said Commission shall deem desirable for the purposes of this Act and included within the following boundaries; namely, all those certain pieces, parcels or lots of land lying and being situate in the City of Dover, East Dover Hundred, Kent County and State of Delaware, and being bounded on the north by lands of the State of Delaware, on the south by Water Street, on the east by East Street or East Avenue, and to include on the west a part of the lands now or formerly of James M. Satterfield, Ella Murphey and Lucinda B. Culbreth, and being within the metes and bounds, courses and distances as follows, to-wit: Beginning at an 8 inch square granite monument at the western edge of East Street, a corner for lands of Lucinda B. Culbreth and the State of Delaware, thence south $81^{\circ} 13' 55''$ west, six hundred seventeen and ninety-seven one-hundredths (617.97) feet to an iron corner post; thence north $7^{\circ} 45' 18''$ west, one hundred ninety-eight (198) feet to a

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point; thence south $81^{\circ} 13' 55''$ west, three hundred two and forty-eight one-hundredths (302.48) feet to a point; thence south $8^{\circ} 29'$ east, four hundred thirty-one and fifty-six one-hundredths (431.56) feet to a point; thence north $81^{\circ} 38'$ east, nine hundred twenty-five and seventy-seven one-hundredths (925.77) feet to a point; thence north $9^{\circ} 03' 33''$ west, two hundred forty and seven one-hundredths (240.07) feet to place of Beginning, containing 6.396 acres of land, be the same more or less.

The lands so acquired shall be used as sites for State buildings and for State grounds.

Section 3. The title to the lands and premises acquired by purchase or gift under the provisions of this Act shall be taken in the name of the The State of Delaware.

Section 4. Whenever the said Commission cannot agree with the owner of any of the lands and premises or easements described in this Act and desired by the said Commission for the purposes of this Act, for the purchase thereof the said Commission may apply for and in the name of The State of Delaware to any judge of The State of Delaware not a member of the Commission of The State of Delaware for the condemnation thereof, first giving seven days' notice in writing of the intended application to such owner if known and if within the State; if such owner is absent from or a non-resident of the State, or is unknown or is under legal disability and has no legal representative present in the State, publication of such notice shall be made in at least one issue of some newspaper published in Kent County at least seven days prior to the date of such intended application, and such publication shall be sufficient notice thereof. Upon application made as aforesaid the said Judge shall appoint five judicious and impartial freeholders of Kent County to view the premises or ascertain the easement and assess the damages which the owner or owners will sustain by reason of the taking of the same, and to make return of their findings within such period as the said judge shall determine. The freeholders shall be sworn or affirmed before some officer authorized to administer oaths or affirmations, before entering on the premises

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or before ascertaining the easement, faithfully and impartially to perform the duties assigned them. They shall give seven days' notice in writing of the time of their meeting to view the premises or ascertain the easement to the said Commission and to the owner of the lands and easements proposed to be condemned if known and if within the State; if such owner is absent from or a non-resident of the State, or is unknown or is under legal disability and has no legal representative present in the State, publication of such notice shall be made in at least one issue of some newspaper published in Kent County at least ten days prior to the date of the time of their meeting for the purpose aforesaid, and such publication shall be sufficient notice thereof.

The said freeholders shall meet at the time appointed and shall view the premises and/or ascertain the easement proposed to be condemned and shall hear the owner and his witnesses, if present, and the Commission and their witnesses, if present. The said freeholders shall ascertain and assess the damages that the owner will sustain by reason of the taking of his land and/or easement, and shall return a record of their proceedings with their findings or award to the Prothonotary of Kent County according to the order or instructions of the judge by whom they were appointed. Either the Commission or the said owner being dissatisfied with the findings or award of the said freeholders, may within seven days after the return of the freeholders as aforesaid apply to the judge who appointed the said freeholders to appoint another set of freeholders to award damages, and thereupon the said judge shall appoint five other judicious and impartial freeholders of Kent County to view the premises or ascertain the easement and assess the damages which the owner will sustain by reason of the taking of the same, and to make return of their findings within such period as the said judge shall determine. If the applicant be the owner of the lands or easement sought to be condemned, he shall give at least five days' notice in writing of his intended application to the Commission, and if the applicant be the said Commission they shall give or publish notice to the owner of the lands or easement, as hereinbefore prescribed with respect to the notice of the application

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for condemnation, except that the time for the giving or publishing of said notice shall be at least five days prior to the application to the judge for the appointment of the second set of freeholders. The second set of freeholders appointed as aforesaid shall be severally sworn or affirmed as hereinbefore prescribed with respect to the first set of freeholders, and all the foregoing provisions as to the duties of the first set of freeholders shall be deemed to apply to the second set of freeholders precisely as if the said provisions were here repeated in detail as to the said second set of freeholders. The findings or award of the second set of freeholders shall be final. If no application for a second set of freeholders be made within the time hereinbefore prescribed, the findings or award of the first set of freeholders shall be final.

The amount of damages being ascertained as aforesaid, the Commission may at any time within two months after the same shall have been so ascertained, pay the amount thereof to the person or persons entitled thereto, or, if any person so entitled refuse to accept such payment or reside out of or is absent from the State at the time, or is under legal disability and has no legal representative present in the State at the time to whom the payment may be made, the damages to which such person is entitled may be deposited to his credit in The Farmers' Bank of the State of Delaware at Dover within said time. Where any owner of property condemned as aforesaid is unknown, or his estate or interest therein is uncertain, or where any of the property condemned is subject to a lien, the said Commission may pay the damages into the Superior Court of The State of Delaware for Kent County, and the said Court shall upon proper application by any party in interest make such orders for the payment or distribution of the moneys so paid into the Court as the rights and interests of the parties shall appear to said Court.

Upon payment as aforesaid of damages awarded under any of the provisions of this Act, or upon deposit of the same in Bank as aforesaid, or upon payment thereof into Court as aforesaid, the title to the lands and/or easements for the taking of which the said damages were awarded shall immediately vest in The State of Delaware absolutely.

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Each freeholder serving in condemnation proceedings under this Act shall be entitled to a fee of Five Dollars per day, which fee together with all other expenses of the condemnation proceedings shall be paid by the Commission.

Section 5. Should it be thought desirable by the said Commission to widen and/or straighten or alter any street abutting upon any of the lands acquired under the provisions of this Act, they may cause to be laid off so much and such portion of the land so acquired as they shall deem necessary or proper to effect such widening, straightening or altering, and shall cause a description thereof to be recorded in the office of the Recorder of Deeds for Kent County and State of Delaware, and thereupon the land so described shall be deemed and held to be a dedication to the public for street uses and to be under and subject to the jurisdiction of the municipal authorities having supervision over the streets of The City of Dover without any further or other act, acceptance, or consent.

Section 6. The said Commission shall cause the lands acquired under the provisions of this Act to be surveyed, laid out and beautified to the end that the same may be used for sites for State buildings to meet the needs of the State for adequate quarters for State departments, boards and commissions functioning at the State Capital, and for State grounds; and may cause any building or buildings being on said lands at the time they are acquired to be sold and removed, removed or taken down, in the discretion of the said Commission. In the event of the sale of any such building or buildings, the proceeds thereof shall be deposited in the Farmers' Bank of The State of Delaware at Dover to the credit of The State of Delaware.

The said Commission shall have power to make and enter into contracts for services, labor and materials needful or proper for the purposes aforesaid or any of them, and to employ such assistants as they shall require in the performance of their duties, and may call upon any department of the State Government for assistance in carrying out the purposes of this Act.

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Section 7. That the sum of Fifty Thousand Dollars be and the same is hereby appropriated out of the State Treasury to be paid by the State Treasurer for the purposes of this Act, and the State Treasurer is hereby authorized and directed to pay up to said sum all warrants of the said Commission signed by the Chairman or Vice-Chairman and attested by the Secretary or Acting Secretary of said Commission.

No portion of the money appropriated as aforesaid shall be deemed or held to revert at the end of any fiscal year, but the said appropriation shall remain in force until the objects and purposes of this Act have been fully accomplished. Any part of the aforesaid sum of Fifty Thousand Dollars remaining unexpended, at the time the work of the Commission has been concluded under the provisions of this Act, shall revert to the General fund of the State of Delaware. When the Commission has fully completed its work under the provisions of this Act, such fact shall be promptly reported to the Governor in writing.

Section 8. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 5, 1947.

CHAPTER 192

STATE HIGHWAY DEPARTMENT

AUTHORIZING BOND ISSUE FOR DEFRAYING COST OF CONSTRUCTION
OF A CROSSING OVER THE DELAWARE RIVER

AN ACT TO AMEND CHAPTER 275, VOLUME 45, LAWS OF DELAWARE, ENTITLED, "AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, TO AUTHORIZE AND EMPOWER THE STATE HIGHWAY DEPARTMENT TO ISSUE REVENUE BONDS TO DEFRAY THE COST OF CONSTRUCTION OF A CROSSING OVER THE DELAWARE RIVER", BY INCREASING THE AGGREGATE AMOUNT OF BONDS THAT MAY BE ISSUED THEREUNDER.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House concurring therein):

Section 1. That Section 1 of said Chapter 275, Volume 45, Laws of Delaware, entitled, "An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize and Empower the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Crossing Over the Delaware River", approved April 19, 1945, be and the same is hereby amended by striking out the words and figures "Twenty-five Million Dollars (\$25,000,000.00)" wherever the same appear in said Section 1 of said Chapter and by substituting in lieu thereof the words and figures "Forty Million Dollars (\$40,000,000.00)".

Approved April 5, 1947.

CHAPTER 193

APPROPRIATION

ESTABLISHING DELAWARE CROSSING DIVISION IN
STATE HIGHWAY DEPARTMENT

AN ACT TO AMEND THE ACT ENTITLED, "AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, TO AUTHORIZE THE STATE HIGHWAY DEPARTMENT TO CONSTRUCT, OPERATE AND MAINTAIN A CROSSING OVER THE DELAWARE RIVER, AND APPROPRIATING CERTAIN MONIES THEREFOR", BEING CHAPTER 274, VOLUME 45, LAWS OF DELAWARE, 1945, BY PROVIDING FOR THE USE OF TEMPORARY FUNDS FOR PRELIMINARY EXPENSES; PROVIDING FOR A DELAWARE CROSSING DIVISION IN THE STATE HIGHWAY DEPARTMENT AND MAKING AN APPROPRIATION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 3, Chapter 274, Volume 45, Laws of Delaware, entitled, "An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize The State Highway Department to Construct, Operate and Maintain a Crossing Over the Delaware River, and Appropriating Certain Monies Therefor", approved April 18, 1945, be and the same is hereby amended by striking out all of said Section 3 and inserting in lieu thereof a new Section 3 as follows:

Section 3. Said Department shall have power and authority to make and enter into all contracts and agreements with any person, firm, corporation, public body or authority of this or any other State which it may consider necessary to or advisable for the performance of its duties and the execution of its powers under this Act; it may establish rules and regulations covering advertising for proposals for the construction of said crossing or for repairs or additions thereto or improvements thereof and may establish standards of eligibility for prospective bidders; it may receive sealed proposals for the construction of said crossing, or such repairs or additions or improvements, or for the

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materials required for such construction, repairs, additions or improvements, reserving the right to reject any or all proposals, said proposals to be publicly opened at the time specified in the advertisement. The contract or contracts for such work or for the materials and supplies required therefor shall be awarded by the Department to the lowest responsible bidder, unless in the opinion of said Department the interests of the State will be better served by awarding the contract to some other bidder. The successful bidder shall promptly execute a formal contract, to be approved as to its form, terms and conditions by said Department, and shall also furnish a bond in accordance with the provisions of 3119. Sec. 19, Chapter 77 of the Revised Code of Delaware, 1935; and all such provisions, as far as applicable, are hereby incorporated herein by reference and all of the provisions thereof applicable to bonds furnished thereunder shall be likewise applicable to bonds furnished hereunder. But in the event, after advertisement referred to herein, the Department is unable to secure a satisfactory proposal for the construction of the crossing, or of such repairs, additions or improvements, it may proceed with such construction, repairs, additions or improvements with forces employed by it for the purpose. The Department may employ engineering, architectural and construction experts and inspectors and attorneys and such other experts and employees as may be necessary in its judgment for any of the purposes herein stated, and fix their compensation. All expenses incurred by the Department shall be charged by the Department to the project and the Department shall keep proper records and accounts showing each amount so charged. The amount so charged shall be paid by the Department from the funds to be supplied for the purposes of this Act for preliminary expenses in connection with the crossing or from funds specially appropriated for the temporary use of the Department. Any of the monies herein, heretofore or hereafter appropriated for such temporary use of the Department prior to the furnishing of funds for the purpose of carrying out the terms of this Act which may be used by the Department shall be repaid by the Department to the State Treasury from the funds so to be sup-

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plied. No liability or obligation shall be incurred by the Department hereunder beyond the amount of money which shall have been previously appropriated by the General Assembly or beyond the amount of the funds to be otherwise supplied for the purpose of carrying out the purposes of this Act. The Department shall, during the month of January in each year, make a report to the Governor, setting forth all of the facts necessary and pertinent to the performance by the Department of its duties under this Act in respect to the construction, operation and maintenance of said crossing. The accounts of the Department in connection with the construction, maintenance and operation of said crossing shall be maintained separate and apart from the other accounts of the Department and shall be audited annually by the State Auditor.

The said State Highway Department is hereby authorized to establish a Division within said Department to be known as the "Delaware Crossing Division", and to appoint a Director thereof and fix his compensation. The Director of said Division shall have supervision of all activities relating to the construction of the said crossing and shall have authority to call for bids for construction in connection therewith, to sign vouchers and to perform all such acts and duties as shall be required of him by the said State Highway Department. Upon the completion of said crossing and the opening of the same for public use, the Delaware Crossing Division and the office of Director thereof shall forthwith cease and terminate.

Section 2. There is hereby appropriated to the State Highway Department the sum of One Hundred Thousand Dollars (\$100,000.00) for the temporary use of the Department to defray the cost of preliminary surveys, studies, borings, or other necessary services. Such appropriation shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 5, 1947.

CHAPTER 194

STATE HIGHWAY DEPARTMENT

AUTHORIZING BOND ISSUE FOR POST-WAR IMPROVEMENTS

AN ACT AUTHORIZING THE STATE OF DELAWARE TO BORROW TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) AND ISSUE BONDS THEREFOR TO PROVIDE A POST-WAR HIGHWAY IMPROVEMENT PROGRAM FOR THE PURPOSE OF ACQUIRING LANDS AND RIGHTS-OF-WAY AND CONSTRUCTING AND RECONSTRUCTING ROADS, HIGHWAYS, BRIDGES AND IMPROVEMENTS INCIDENTAL THERETO, AND PROVIDING THE FORM OF THE BONDS AND COUPONS AS WELL AS THE PROCEDURE FOR THE SALE THEREOF, AND PROVIDING THAT THE PROCEEDS OF SAID BONDS SHALL BE DEPOSITED IN A SPECIAL ACCOUNT TO THE CREDIT OF THE STATE HIGHWAY DEPARTMENT, AND PROVIDING FOR THE PAYMENT OF PRINCIPAL AND INTEREST OF SAID BONDS.

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met (three-fourths of all the members elected to each House thereof concurring therein):

Section 1. The Governor, Secretary of State and State Treasurer of the State of Delaware, herein sometimes referred to as the "Issuing Officers", are hereby authorized, fully empowered and directed to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of Two Million Five Hundred Thousand Dollars (\$2,500,000.00), which shall be used for the purpose of construction and the reconstruction of roads, highways, bridges, dams, locks, sewers, water mains and under-passes, and for the acquisition of land, rights-of-way, and the surveying, grading and landscaping thereof, and for the costs of labor, material, equipment, supplies, and for buildings or any other purposes incidental and necessary to the foregoing; and, the said "Issuing Officers" are hereby authorized, fully empowered and directed to sell, execute and deliver bonds in conformity

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with the provisions of this Act to an amount not to exceed the said sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

Section 2. The said bonds issued in accordance with the provisions of this Act shall be direct general obligations of the State, and the public faith and credit of the State of Delaware are hereby expressly pledged for the full and complete payment of the debt, principal and interest by this Act authorized, of the bonds hereby authorized to be issued and the coupons thereto attached, and the said bonds shall be exempt from taxation by the State or any political subdivisions thereof for any purpose.

Section 3. The said bonds shall recite that they are issued for the purposes set forth in Section 1 of this Act, that they are issued in pursuance of this Act and the Constitution of this State, and upon the sale and delivery of any such bond, such recitals shall be conclusive upon the State of Delaware and all and every other person whatsoever of the right, power and authority for the issuance of said bonds and the legality and validity of such bonds and of the principal debt and interest represented thereby, and the legality and validity of such bonds thereafter shall never be questioned in any court of law or equity by the State of Delaware or any person or persons for its use or in its behalf, and this provision shall be and become part of the contract and obligation represented by any such bond or bonds.

Section 4. The bonds issued under the authority of this Act shall be in denominations of One Thousand Dollars (\$1,000.00), or multiple thereof, as shall be decided by the "Issuing Officers", or a majority of them, with coupons thereto attached for each half year's interest thereon. The said bonds shall be numbered consecutively, and shall be dated the first day of July of that year in which they shall be issued, and they shall bear interest from and after that date at a rate not exceeding two per centum (2%) per annum, interest payable semi-annually on the first day of January and July in each year that such bonds remain unpaid, at the Farmers' Bank of the State of Delaware, at Dover, upon presentation of a coupon representing such semi-annual interest.

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The principal of said bonds shall be payable at said Bank twenty (20) years after the date thereof on presentation and surrender of said bonds, but the said bonds, or any of them, may be redeemed at the option of the State at the rate of one hundred and five per centum (105%) of the principal debt of the bond redeemed on any first day of January or first day of July after the said bonds, or any of them, shall have been issued for five (5) years, upon thirty (30) days' notice published in one newspaper in the City of Philadelphia and one newspaper published in the State of Delaware, indicating by their numbers the bonds thereby called and elected to be redeemed.

The said bonds shall be signed by the Governor, Secretary of State and State Treasurer on behalf of the State of Delaware, and shall have the Great Seal of the State impressed thereon.

The signature of the said State Treasurer shall be engraved, printed or written on such coupons, and when printed or engraved shall have the same effect as if written, and the coupon attached to each bond shall be numbered consecutively and bear the number of the bond to which it is attached to identify it therewith.

Section 5. For the purpose of designation and identification, any bond issued under the authority of this Act shall be known and styled "Post-War State Highway Improvement Bond".

Section 6. The said bonds shall be in the following form, to wit:

UNITED STATES OF AMERICA

State of Delaware

No. Post-War State Highway Improvement Bond

THESE PRESENTS CERTIFY AND MAKE KNOWN that the STATE OF DELAWARE is held and firmly bound unto the bearer in the sum of Dollars (\$), lawful money of the United States of America, which the said State promises and binds itself to pay to the bearer at the Farmers' Bank of the State of Delaware, at Dover, Delaware, on the

STATE HIGHWAY DEPARTMENT

AUTHORIZING BOND ISSUE FOR POST-WAR IMPROVEMENTS

first day of January, A. D. 19....., with interest at the rate ofper centum (%), per annum, likewise payable at the Farmers' Bank of the State of Delaware, at Dover, Delaware, on the first days of January and July of each and every year, while the said principal sum remains unpaid, upon the presentation of the coupon as hereto annexed representing such semi-annual installments of interest, provided, however, and it is expressly stipulated, that the said State reserves the right and power at its option to call in, pay and redeem this bond at the rate of one hundred and five per centum (105%) of the principal debt hereof on the first day of January and July in or after the year 19....., pursuant to the notice in that behalf prescribed by an Act of the General Assembly under the authority of which this bond is issued; and provided further, that when this bond shall be called by the notice aforesaid, interest hereon shall cease to accrue from and after the first day of January and July (as the case may be) next succeeding the date of such notice.

This bond is one of the bonds authorized to be issued by an Act of the 114th session of the General Assembly of the State of Delaware entitled "An Act Authorizing the State of Delaware to Borrow Two Million Five Hundred Thousand Dollars (\$2,500,000.00) and Issue Bonds Therefor to Provide a Post-War Highway Improvement Program for the Purpose of Acquiring Lands and Rights-of-Way and Constructing and Reconstructing Roads, Highways, Bridges and Improvements Incidental Thereto, and Providing the Form of the Bonds and Coupons as well as the Procedure for the Sale Thereof, and Providing that the Proceeds of said Bonds shall be Deposited in a Special Account to the Credit of the State Highway Department, and Providing for the Payment of Principal and Interest of said Bonds", and is issued for the purpose set forth in Section 1 of said Act and in pursuance of said Act and the Constitution of the State of Delaware.

Dated at Dover, Delaware, the first day of July, A. D. 19.....

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WITNESSETH the Great Seal of the State of Delaware and the Hands of the Governor, Secretary of State and State Treasurer, the day and year aforesaid.

.....
Governor

.....
Secretary of State

.....
State Treasurer

And the Coupons shall be in the following form, to wit:

No.

The State of Delaware will pay to the bearer at the Farmers' Bank of the State of Delaware, at Dover, Delaware, on the first day of, A. D. 19....., the sum of Dollars (\$) for six months' interest on Bond No. Post-War State Highway Improvement Bond.
Dated January 1, 19.....

.....
State Treasurer

It shall be the duty of the State Treasurer to provide a record of the proper size and form to be retained in his office in which he shall keep a record of all bonds which shall be paid and redeemed according to the number thereof, and in addition thereof he shall cause any such bond to be cancelled by making lines with red ink through the signatures of the Governor, Secretary of State and State Treasurer, and also by writing across the face thereof in red ink the following:

"This bond paid and redeemed this day
of, A. D. 19....."

.....
State Treasurer"

As the said coupons are paid, it shall be the duty of the State Treasurer to mark the same in red ink across the face "Paid". All bonds paid and redeemed as well as all coupons

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paid, cancelled as aforesaid, shall be safely kept by the State Treasurer so long as any bond authorized by this Act is unpaid and not redeemed.

Section 7. Whenever the bonds authorized by this Act may be issued in conformity with the provisions of this Act, the "Issuing Officers" are hereby directed to advertise twice a week for four successive weeks in such newspapers and journals in and out of the State as in their judgment may be conducive to the sale of said bonds, that they will receive bids at such place or places that may be named in said advertisement for such bonds under such regulations as may be made in the discretion of the "Issuing Officers", and the accrued interest between the date of the bonds and the time of sale and delivery of and payment of said bonds shall be adjusted with the purchaser thereof under such regulations as may be made in the discretion of the "Issuing Officers", provided that any overdue coupons attached to the bonds shall, before the sale of said bonds, be detached and cancelled in accordance with the provisions of this Act, and upon the day mentioned in said advertisement as the day for opening bids for said bonds, the "Issuing Officers", or majority of them, shall receive such bids for the purchase of the bonds designated in said advertisement to be sold, and on opening of said bids, as many of said bonds as shall have been bid for, shall be awarded by the said "Issuing Officers" to the highest responsible bidder or bidders therefor, for cash, provided, the amount bid is adequate in the judgment of the "Issuing Officers" or majority of them. If two or more bidders have made the same bid and such bid is the highest, and the bonds so bid for by the highest responsible bidders are in excess of or equal to the whole amount of the bonds so offered for sale, such bonds shall be awarded to such highest responsible bidders bidding the same price in a ratable proportion. If any of said bonds so offered for sale are not bid for, or if any insufficient price be bid for them, they may be subsequently disposed of under the direction of the "Issuing Officers" at private sale upon the best terms they can obtain for the same, provided that they shall not be sold at private sale for less than par and accrued interest.

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Section 8. Any money received by the State Treasurer from the sale of bonds issued under the provisions of this Act shall be placed to the credit of the State Highway Department to be used exclusively for the purposes set forth in Section 1 of this Act and kept by him in a special account at the Farmers' Bank of the State of Delaware at Dover, such special account to be known as "Post-War State Highway Improvement Account".

There is hereby appropriated to the State Highway Department of the State of Delaware, the said sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00), received from the sale of the bonds authorized hereby, which shall be used for the purposes set forth in Section 1 hereof, and the State Treasurer is hereby authorized and directed to disburse the said moneys deposited in a special account as aforesaid to the credit of the State Highway Department upon its warrant signed by the Chairman and the Secretary or the Chief Engineer, stating the use of the moneys for which such warrant calls, which use shall be for the purposes set forth in Section 1 of this Act. No funds remaining unexpended in said special account at the end of any fiscal year shall revert to the use or purposes of any other funds of the State, but shall remain in said account to be used exclusively for the purposes set forth in Section 1 of this Act.

Section 9. That the General Assembly shall appropriate funds sufficient to provide for the payment of maturity, principal and interest of said Bonds from the date of issue to the end of the ensuing biennium on June 30, 1949, and the Budget Appropriation Bill which shall be enacted and approved by the General Assembly at the 115th session and at each and every subsequent biennial session thereof, shall contain under the Debt Service Item provisions for the payment of maturity principal and interest of said bonds issued under the authority of this Act, and such of the revenues of the State of Delaware as are not prohibited by constitutional provision or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellation of said bonds and payment of interest thereon.

Approved April 5, 1947.

CHAPTER 195

PERMANENT BUDGET COMMISSION

INCREASING SALARY OF ACCOUNTANT

**AN ACT TO AMEND CHAPTER 204, VOLUME 42, LAWS OF
DELAWARE, 1939, AS AMENDED, WITH REFERENCE
TO THE SALARY OF THE ACCOUNTANT FOR THE
BUDGET COMMISSION.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 204 of Volume 42, Laws of Delaware, 1939, as amended, be and the same is hereby further amended by striking out and repealing the figures "5,000.00" as they appear in line two (2) of Section 5. of said Chapter 204 and by substituting and enacting in lieu of the figures so stricken out, the figures "6,000.00".

Approved April 5, 1947.

CHAPTER 196

**REGULATING LABOR UNIONS AND RELATIONS
BETWEEN EMPLOYER AND EMPLOYEES****AN ACT REGULATING LABOR UNIONS AND RELATIONS
BETWEEN EMPLOYERS AND EMPLOYEES, MEMBERS
OF LABOR UNIONS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. Definitions:—When used in this Act, or in any instance or situation involving a labor dispute or strike, unless a different meaning is indicated or required:

(a) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees or receivers.

(b) The term "employer" means a person who regularly engages the services of two or more employees, other than persons within the classes expressly exempted under the terms of the succeeding paragraph of this section, and includes any person acting on behalf of any such employer within the scope of his authority, express or implied.

(c) The term "employee" shall include any person working for another for hire in the State of Delaware in a non-executive or non-supervisory capacity, other than an independent contractor; and shall include any individual whose work has ceased solely as a consequence of any current labor dispute and (a) who has not refused or failed to return to work upon the final disposition of a labor dispute, (b) who has not been found to have committed or to have been a party to any unfair labor practice hereunder, (c) who has not obtained regular and substantially equivalent employment elsewhere, or (d) who has not been absent from his employment for a substantial period of time during which reasonable expectancy of settlement has ceased and whose place has not been filled by another engaged in the regular manner for an indefinite or protracted period and not merely for the duration of a strike. The term shall not include

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any individual employed in the domestic service of a family or on a farm or person at his home or any individual employed by his parent or spouse.

(d) The term "labor organization" means any organization of any kind or any agency or committee or plan of representation in which employees participate and which exists for the purpose in whole or in part of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

(e) The term "labor organizer" shall mean any person who solicits memberships in a labor union or members for a labor union.

(f) The term "business agent", as used herein, shall mean any person, without regard to title, who shall act or attempt to act for any "labor union" (a) in the solicitation and/or issuance of membership, or authorization cards, work permits, or any other evidence of rights granted or claimed in, or by, a labor union, or (b) in the negotiation or settlement of any working agreement or grievance or demand of any employee or group of employees with respect to hours, wages or other conditions of employment, or in soliciting or receiving from any employer any right or privilege for employees of that employer.

(g) The term "representative" includes any person who is the duly authorized agent of a collective bargaining unit.

(h) The term "supervisory employees" means any individual having authority, in the interest of the employer:

(1) to hire, transfer, suspend, lay off, recall, promote, demote, discharge, assign, reward, or discipline an employee or employees, or to adjust their grievances, or to effectively recommend any such action; or

(2) to determine, or make effective recommendations with respect to, the amount of wages earned by employees, or to apply, or make effective recommendations with respect to the application of, the factors upon which the wages are

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determined, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(i) The term "working agreement" or "collective bargaining agreement" means a collective bargaining contract between an employer and employees in any business or industry with respect to hours, wages or other conditions of employment and shall include any renewal, extension, supplementation, amendment or change in respect to any such agreement.

(j) The term "collective bargaining" is the negotiation by an employer and the representative, or representatives, of a majority of his employees who are in a collective bargaining unit, with respect to hours, wages or other conditions of employment.

(k) The term "collective bargaining unit" shall mean an organization selected by secret ballot, as provided herein, by a majority vote of the employees of one employer employed within the State who vote at an election specially called for the selection of such unit, provided, however, that a majority of such employees engaged in a single craft, division, department, or plant of such employer shall have the right, by secret ballot, to constitute their own collective bargaining unit. Two or more collective bargaining units may bargain collectively through the same representative or representatives where a majority of the employees in each separate unit shall have voted so to do by secret ballot, as provided herein.

(l) The term "labor dispute": (1) Includes any controversy between an employer and his employees concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment. (2) It shall not be a labor dispute where the disputants do not stand in the proximate relation of employer and employee. (3) The refusal of an employer to enter into an "all-union agreement" shall not constitute a labor dispute. (4) No jurisdictional dispute or controversy between two or more unions

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as to which of them has or shall have jurisdiction over certain kinds of work, or as to which of two or more bargaining units constitutes the collective bargaining unit as to which the employer stands impartial or ready to negotiate or bargain with whichever is legally determined to be such bargaining unit shall constitute a labor dispute. (5) It shall not constitute a labor dispute if an employer discharges or refuses to employ an employee on account of incompetence, neglect of work, unsatisfactory service or dishonesty, and the discharge of an employee or the refusal to employ an employee shall constitute a labor dispute only when such discharge or refusal to employ is in violation of a contract. (6) No labor dispute shall arise from the refusal of an employer to join a union or to cease work in his own business.

(m) The term "all-union agreement" shall mean an agreement between an employer and a union representing some or all of his employees, whereby all of the employees of the employer are, as an incident to employment, required to be members of the union.

(n) The term "election" means a proceeding taken at a meeting of union members in which its members are authorized by this Act to participate, and cast a secret ballot to select a collective bargaining unit or for any other purpose specified in this Act.

(o) The term "secondary boycott" shall include causing or threatening to cause and combining or conspiring to cause or threaten to cause injury to one not a party to the particular labor dispute, to aid which labor dispute such boycott is initiated or continued, whether by (a) withholding patronage, labor or other beneficial business intercourse; (b) picketing; (c) refusing to handle, install, use or work on particular materials, equipment or supplies, or (d) any other unlawful means, in order to bring him against his will into a concerted plan, to coerce or inflict damage upon another or to compel the party with whom such labor dispute exists to comply with any particular demands.

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(p) The term "strike" means a cessation of work by employees as a means of enforcing compliance with some demand made upon the employer and the term also includes a stoppage of work by reason of the expiration of any working agreement.

Section 2. Unfair Labor Practices:—It shall be an unfair labor practice for an employee individually or in concert with others:

(a) To coerce or intimidate an employee in the enjoyment of his legal rights, or to intimidate his family or any member thereof, picket his domicile, or injure the person or property of such employee or his family or of any member thereof, or to attempt to do any of these acts.

(b) To coerce, intimidate or induce any employer to interfere with any of his employees in the enjoyment of their legal rights, or to engage in any practice with regard to his employees, which would constitute an unfair labor practice if undertaken by him on his own initiative.

(c) To violate the terms of a collective bargaining agreement, including an agreement to accept an arbitration award.

(d) To refuse or fail to recognize or accept as conclusive of any issue in any controversy as to employment relations the final determination, after appeal, if any, of any tribunal having competent jurisdiction of the same or whose jurisdiction the employees or their representatives accepted.

(e) To cooperate in engaging in, promoting or inducing picketing, or any other overt concomitant of a strike unless a majority in a collective bargaining unit of the employees of an employer against whom such acts are primarily directed have, at a special meeting called for such purpose, voted by secret ballot to call a strike.

(f) To hinder or prevent, by mass picketing, threats, intimidation, force or coercion of any kind, the pursuit of any lawful work or employment, or to obstruct or interfere with entrance into or egress from any place of employment, or to ob-

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struct or interfere with free and uninterrupted use of public roads, streets, highways, railways, airports, or other ways of travel or conveyance, or to picket, obstruct or interfere with entrance into or egress from the home of any employee or employer or any officer, agent or representative of any employer.

(g) To engage in a secondary boycott, or to hinder or prevent, by threats, intimidation, force, coercion or sabotage, the obtaining, use or disposition of materials, equipment or services, or to combine or conspire to hinder or prevent, by any means whatsoever, the obtaining, use or disposition of materials, equipment or services.

(h) To take, retain, or remain in unauthorized possession of property, real or personal, or any part thereof, of the employer, or to engage in any concerted effort to interfere with production, except by leaving the premises in an orderly manner for the purpose of going on strike.

(i) To engage in a slow-down or a sit-down strike on the premises or property of the employer.

(j) To fail to give the notice of intention to strike as required in any section of this Act.

(k) To commit any crime or misdemeanor in connection with any controversy as to employment relations.

(l) To demand or require any "stand-in" employee to be hired or employed by an employer or to demand or require that the employer employ or pay for an employee to stand by or stand in for work being done by other employees or any of them, or to require the employer to employ or pay for any employee not required by the employer or necessary for the work of the employer.

(m) To do or cause to be done on behalf of or in the interest of employers or employees, or in connection with or to influence the outcome of any controversy as to employment relations, any act prohibited by this Section.

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Section 3. Fair Labor Practices:—

a. It is not unfair labor practice for any employer to refuse to grant a closed shop or all-union agreement or to accede to any proposal therefor, as herein provided.

b. The right of both employer and employee freely to express, declare and publish their respective views and proposals concerning any labor relationship shall not be abrogated or limited by this Act, nor shall the exercise of such right constitute an unfair labor practice.

Section 4. Unlawful Labor Practices:—

a. It shall be unlawful for any person or persons, singly or by acting in concert or together, by force, threats or use of violence, to require or coerce any person to join or maintain membership in or refrain from joining or maintaining membership in a labor organization, or to interfere, or to attempt to interfere, with any person in the exercise of his or her lawful right to work, or right to enter upon or pursue any lawful employment he or she may desire, by doing any of the following acts: (1) using profane, insulting, indecent, offensive, annoying, abusive or threatening language toward such person or any member of his or her immediate family, or in his, her or their presence, for the purpose of inducing or influencing or attempting to induce or influence such person to quit his or her employment or to refrain from seeking or freely entering into employment, or to require or coerce any such person to join or maintain membership in or refrain from joining or maintaining membership in a labor organization; (2) following or intercepting such person from or to his work, from or to his home or lodging, or about the city, against the will of such person, for such purposes, or any of them; (3) photographing such person without his consent; (4) menacing, threatening, coercing, intimidating, or frightening, in any manner, such person for such purposes, or any of them; (5) committing an assault and battery upon such person for such purposes, or any of them; (6) loitering about, or patrolling the place of work or residence of such person, or any street,

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alley, road, highway, or any other place, where such person may be, or in the vicinity thereof, for such purposes, or any of them, against the will of such person.

b. It shall be unlawful for any employer to withhold from wages or salary when and as due any sum or sums to be paid to a person or organization representing labor, commonly known as "check-off" except when and if duly directed to do so by a court of competent jurisdiction; and it shall likewise be unlawful for any employer or organization representing labor to provide in any contract hereafter made that the employer shall withhold from salary or wages when and as due any sum, or sums, familiarly known as "check-off", to be paid to a person or organization representing labor.

Section 5. Unlawful Strikes:—No strike shall be lawful unless it is authorized by a majority vote of the employees in the bargaining unit involved, taken by secret ballot at a special meeting called for such purpose, notice of which shall have been given to each member thereof, and which notice shall set forth all matters to be considered at such special meeting.

Section 6. Secondary Boycotts:—It shall be unlawful, in pursuance of any secondary boycott, for any person or persons, singly or acting in concert or together, to loiter about, beset or patrol in any manner the place of business or occupation of any person, firm or corporation engaged in any lawful business or occupation, or any street, alley, road, highway or other place, in the vicinity where such person, firm or corporation may be lawfully engaged in his, their or its work, business or occupation, for the purpose of inducing or influencing, or attempting to induce or influence, others not to trade with, buy from, sell to, work for, or have business dealings with, such person, firm or corporation, so that thereby the lawful business or occupation of such person, firm or corporation will be obstructed, interfered with, injured or damaged, and such person, firm or corporation thereby induced or coerced against his, their or its will, intimidated or threatened to do something he, they or it may legally refrain from doing, or to refrain from doing something he, they or it may lawfully do.

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Section 7. Arbitration:—Parties to a labor dispute, or employers or associations of employer and unions, may voluntarily agree in writing to have an arbitrator or arbitrators named to arbitrate all or any part of such dispute or differences arising in the administration or interpretation of any such agreement, and on the refusal of any party to proceed with the agreement, such agreement shall be enforceable in the Court of Chancery. The Court of Chancery shall appoint as arbitrators only competent, impartial and disinterested persons. Proceedings in any such arbitration shall be as provided by the rules of arbitration adopted by the American Arbitration Society. The parties shall be bound by the award of the arbitrator, unless it be shown that the award was induced by or was the result of fraud on the part of any party or of the arbitrator or arbitrators. The Court of Chancery shall enforce the provisions of this Section.

Section 8. Enforcement of Union Contracts:—Suits for violation of and to enforce a contract concluded between an employer or association of employers with a union or group of unions, as the result of collective bargaining, may be brought in the Court of Chancery or in the Superior Court having jurisdiction of the parties.

Every labor organization shall be bound by the acts of its duly authorized agents acting within the scope of their authority from the said labor union, when such authority shall have been given by the action of a majority of the members of such labor organization, or shall be implied from the circumstances. Any labor organization may sue or be sued as an entity, and in behalf of the employees, members thereof or whom it represents; provided, however, that any money judgment against such labor organization shall be enforceable only against the organization as an entity and against its assets or the transferee or transferees thereof, and it shall also be enforceable against any individual member of the organization who shall have been named or made a party and who shall have appeared as a party or shall have been served with subpoena or summons. The service of summons, subpoena, or other legal process, upon any officer or agent of the labor organization shall be and constitute

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sufficient service upon the labor organization. Any employee who participates in an unlawful strike or other interference with the performance or in violation of an existing collective bargaining agreement may be sued for damages sustained by the employer by reason of any of his acts as herein specified.

The Court of Chancery, upon cause being shown in any case, shall issue against any labor organization or union, party to an employment contract, and the officers and agents thereof, a restraining order or orders and/or a temporary or permanent injunction or injunctions, as may be required, and such restraining order or injunction may prohibit the union, its officers and agents, or all or any of them, whether singly or in concert, from directly or indirectly ordering, directing, urging, inducing, advising, influencing, coercing or intimidating, any member of said union from ceasing or refusing to perform any work or to remain in any relation of employment in violation of any agreement, contract, undertaking or promise to do such work, or to remain in such employment or in connection with any unlawful strike.

Section 9. Injunctive Relief:—The Court of Chancery shall, upon the petition of any person in interest or any organization or person or persons representing any public interest, invoke its general injunctive powers and grant injunctive relief to prevent the perpetration or continuance of any unfair or unlawful labor practice, unlawful strike or secondary boycott, as herein prohibited, and to enforce arbitration agreements herein declared to be enforceable.

Section 10. Regulation of Picketing:—The Court of Chancery shall, upon the filing of a bill of complaint by any party in interest or any organization or persons representing any public interests, showing that there is picketing in any strike or labor dispute, which might tend to disturb or lead to riots, disturbances, assaults, or disturb public peace or injure the property or persons of individuals, (a) limit the number of pickets that may be permitted, (b) prescribe the distance from any plant, entrance or exit where such picketing may be permitted, and (c) otherwise prescribe limits to such picketing, including not only

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the number of persons picketing, but also the manner or method of persons picketing, and to prevent the use of weapons of any kind or threats or intimidation. Complaints filed under this Act shall have preference over any case pending in the Chancery Court, and shall be heard expeditiously, and the Chancery Court shall always be deemed open for the trial thereof.

Section 11. Registration of Labor Organizations:—Every labor organization engaging in collective bargaining in this State shall within 30 days after the effective date of this Act, or upon establishment organized after the effective date of this Act, and annually thereafter, through its president or other authorized officer, file with the Secretary of State the following information stated under oath: (1) the name of the labor organization; (2) the address at which it has its principal office or does business; (3) the names and titles of its officers and of all members of its governing bodies; (4) the company or companies with which the labor organization deals if a local organization; (5) the industry or industries in which the labor organization operates if a national organization or a craft union; (6) its initiation fees; (7) its annual dues charged each member; (8) assessments levied upon its members during the preceding twelve-month period; (9) the limitations on membership; (10) the number of paid-up members; (11) the date of the last election of officers; (12) the method of election; (13) the vote for and against each candidate for office; (14) the date of the last detailed financial statement furnished all members and the method of publication or circulation of such statement. With such information shall be filed a copy of the Constitution and By-Laws of the labor organization, including all amendments thereto.

Section 12. Reports:—Every labor organization shall, during the month of January and July of each year, file with the Secretary of State a full and intelligible report of its financial condition as of the last day of the preceding month. Such report shall be under oath and shall show the exact amount of all salaries or other compensation and payments of every kind made to every officer and every member of the governing bodies of the organization, and all payments made to any other person during the period covered by the report.

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Section 13. Working Agreements:—All labor unions are required to forward to the Secretary of State, within sixty days from the effective date of this Act, copies of all existing working agreements with employers then in effect, and shall after July 1, 1947, file with the Secretary of State, a copy of every working agreement effected with any employer, within twenty days from the execution of such working agreement.

Section 14. Enforcement of Sections 11, 12 and 13:—It shall be unlawful for organizers, officers or agents of any labor organization to fail, neglect or refuse to register said labor union with the Secretary of State as required by Section 11, or to fail, neglect or refuse to file the report required by Section 12, or to fail, neglect or refuse to file working agreements as required by Section 13, and any such failure, neglect or refusal on the part of organizers, officers or agents shall cause a vacancy in such offices of such labor organization and shall render all persons in office at the time of such failure, neglect or refusal, ineligible to reelection for a period of one year. It shall be the duty of the Attorney General, whenever it shall appear that there has been any neglect, failure or refusal, to apply to the Court of Chancery for the issuance of appropriate injunctive process to enforce compliance with Sections 11, 12 and 13 hereof, and such remedy shall be cumulative and in addition to all other remedies provided by law.

Section 15. Inspection of Registration Data, Reports and Working Agreements:—All registration data, reports and working agreements on file in the Office of the Secretary of State, in accordance with Sections 11, 12 and 13, shall be confidential and available and open to inspection only to any state officer, board, commission or agency, upon written request approved by the Attorney General; provided, also, that said registration data, reports and working agreement shall, at all times, be open to inspection by grand juries and judicial and quasi-judicial inquiries in all legal proceedings pending before any Court or administrative agency.

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Section 16. False Registrations and Reports:—Any person found guilty of filing any false registration or report, required to be filed with the Secretary of State as provided by this Act, shall be punished by a fine not to exceed One Thousand Dollars and shall be imprisoned for not more than three years, and shall not thereafter be eligible to hold any office or act as agent, directly or indirectly, in any labor union operating in this State for a period of five years from the effective date of any judgment of conviction.

Section 17. Constitution and By-Laws of Unions:—The By-Laws and Constitution of every labor organization operating within this State shall provide for a representative form of government. The terms of all officers, agents and representatives shall be for a period not to exceed one year. Provisions in Union Constitutions and By-Laws, seeking to impose, limit or prescribe terms and conditions of wages, rates of pay, hours of employment, quantity of work to be performed by union members, use of labor-saving devices, or conditions of work, shall be null and void and of no effect.

Section 18. Initiation Fees and Dues:—The dues or initiation fees of any labor organization operating within this State shall not be increased nor shall special assessments upon the members thereof be levied except by a majority vote of the membership of the labor organization or by their representatives expressly authorized to exercise the rights of the members in this respect. No initiation fees shall exceed the sum of \$25.00.

Section 19. Meetings of Unions:—All officers, agents, organizers and representatives of labor unions shall be elected annually by majority vote of the members; provided, however, that labor unions, if they so desire, may require more than a majority vote for election of any officer, agent, organizer or representative. Notice of the annual meeting to elect officers, agents and representatives shall be given to every member of the union at least fifteen days before the date of the holding of such meeting, and shall be by written or printed notice mailed to the member's last-known address. No meeting of any labor union shall

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have a quorum present and authorized to act unless at least a majority of its members, or delegates to a regional or state labor organization, shall be present and voting on all matters presented, considered and determined by the meeting. All elections for officers, agents, and on the question of striking or not striking, shall be determined by secret ballot. No election shall be valid where the result has been influenced by any inducements, threats, coercions or intimidations, and any member of the union may petition the Court of Chancery to review any such election, provided the petition shall be filed within fifteen days from the date the election was determined and the result announced. The result of an election of officers or on the question of striking or not striking shall be ascertained and declared by the president and the secretary of the union at the time of such election and in the presence of the members of the union or delegates, as hereinbefore mentioned, participating in such meeting. The count and tabulation at all elections shall be supervised by an impartial and credible judge of election who shall not be a member of the Union and such judge shall certify under oath to the members and candidates the total number of votes cast for each office and the number received by each candidate for such office, and the number of votes cast for and against striking. His certificate shall remain a part of the records of the meeting. It is a condition precedent to the validity of any election to consider or vote on the question of striking or not striking that notice of such election shall be given to each member of the union, and said notice shall plainly set forth the matters to be considered at said special meeting, including a fair statement of the proposals of the employer which are to be considered in connection with the action of the union in striking or not striking. Any employer who may be affected by the election shall have the privilege of attending said special meeting and stating orally the proposals that have been made by him or in his behalf to any business agent or representative; and no election shall be valid at which such an employer shall have been refused such privilege as hereinbefore provided.

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Section 20. Right to Work and Right to Vote at Union Meetings:—It shall be unlawful for any labor union, labor organizer, officer, agent, representative or member of any labor union to demand, collect or receive, directly or indirectly, any fee, assessment, or sum of money whatsoever, as a work permit or as a condition for the privilege to work, from any person not a member of the union. No charge shall ever be made, nor shall any fee ever be collected for the privilege to work in this state, except that this shall not prevent the collection by a labor union of reasonable initiation fees and dues, provided any such person making any payment of a fee, dues or assessment, shall be given the right of notice of the holding of any union meeting and the right to vote at all union meetings held for the purpose of electing officers and for voting on questions of striking or not striking, notwithstanding any provision in any union constitution or by-law or any provision contained in any working agreement to the contrary.

Section 21. Who May Not be Officials of Labor Unions:—It shall be unlawful for any alien, communist, or any person convicted of a felony charge in any Court of this State or any other state or of the United States to serve as an officer, agent, representative or official of a labor union or as a labor organizer, as defined in this Act. This section shall not apply to a person who may have been convicted of a felony and whose rights of citizenship shall have been fully restored by pardon proceedings.

Section 22. Unions Not to Conduct Employment Services:—It shall be unlawful for any labor organization to operate or conduct "hiring halls" or other employment or placement services to coerce, intimidate or direct employers to employ persons recommended or approved by such labor organizations or to otherwise interfere with the employer's right to employ persons of his own choosing.

Section 23. Political Contributions:—It shall be unlawful for any labor union to solicit or make any financial contribution to any political party or to any candidate or candidates or persons

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running for political office as a part of the campaign expenses of such individual, and the provisions hereof shall apply to primary elections, as well as to general elections.

Section 24. Books of Accounts:—It shall be the duty of any and all local labor unions in this State to keep accurate books of accounts, itemizing all receipts from whatsoever source and expenditures for whatsoever purpose, stating such sources and purposes. Every member of a local labor union shall be entitled at all reasonable times to inspect the books, records and accounts of such labor union, and State officers and agencies shall be entitled upon demand, at all reasonable times, to inspect such books, records, and accounts of such labor union. Such books, records and accounts shall also be open to grand juries and judicial and quasi-judicial inquiries in legal proceedings.

Section 25. Suspension or Expulsion of Union Members:—It shall be unlawful for any labor union to suspend or expel any member thereof except for good cause, and upon a fair and public hearing accorded by and within the labor organization, after due notice to such member and an opportunity to be heard, accompanied by counsel, on specific charges preferred in writing. Any person so suspended or expelled may petition the Court of Chancery to review any such hearing and, on cause being shown, the Court of Chancery shall order the reinstatement of any member of the labor organization who shall be found to have been suspended or expelled without good cause.

Section 26. Members of Armed Forces:—Any employee who is a member of any union, who, because of services with the Armed Forces of the United States, has been unable to pay any dues, assessments, or sums levied by any union, shall not hereafter be required to make such back payments as a condition to reinstatement in good standing as a member of any union to which he belonged.

Section 27. Penalties:—Any person, member, representative, agent, or officer, or labor union or labor organizer, who violates any provision of this Act for which there is no specific penalty provided shall be guilty of a misdemeanor, and, upon

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conviction thereof in the Court of General Sessions, shall be punished by a fine not to exceed Five Hundred Dollars or by imprisonment not to exceed sixty days, or by both fine and imprisonment; provided that for a third and subsequent conviction for any offense the Court shall impose a fine of not less than Five Hundred Dollars and may impose a prison sentence not to exceed six months or both.

Section 28. Civil Penalties and Liability for Damages:—

Any person, firm or corporation who suffers injury because of an unlawful strike or because of some act of unfair or unlawful labor practice, as defined herein, or because of any secondary boycott, as defined herein, or because of any violation of a working agreement, or by reason of any violation of Section 21 hereof, or by reason of any unlawful suspension or expulsion from membership in a union, shall have a right of action in the Superior Court against the union involved in or responsible for such injury, and all persons participating in any of the aforesaid acts, jointly and severally, may be held liable with the union for any injuries sustained. If any person, otherwise unwilling to do so, is induced to violate a contract of employment or for services or for materials, or is prevented by any unfair or unlawful labor practice to carry out and perform any contract, any person, firm or corporation injured thereby shall be entitled to recover three times the amount of damages sustained in an action at law against the persons, jointly and severally, so inducing the violation of such obligations or preventing performance of a contract, and have judgment accordingly.

Section 29. Existing Contracts Unaffected:—Nothing in this Act shall operate to abrogate, annul or modify any valid agreement respecting employment relations existing on the effective date hereof or any renewal thereof.

Section 30. Certain Relations Between Employer and Employee Deemed Contrary to Public Policy:—Every undertaking, contract, agreement or promise, hereafter made, whether written or oral, express or implied, between any employee or prospective employee and his employer, prospective employer, or any

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other person, firm, association, company or corporation, whereby a party thereto undertakes or promises to join or remain a member of some specific labor organization or organizations and/or undertakes or promises not to join or not to remain a member of some specific labor organization or organizations and/or undertakes or promises that he will withdraw from an employment relation in the event that he joins or remains a member of some specific labor organization or organizations, is hereby declared to be contrary to public policy and shall not afford any basis for the granting of legal or equitable relief in any Court of this State against a party to such undertaking or promise, or against any other persons who may advise, urge or induce, without fraud, violence or threat thereof, or by means of any fraud, violence or threat thereof, and either party thereto may, without any legal liability, act in disregard of any such undertaking or promise.

Section 31. Construction of This Act:—Except as specifically provided in this Act, nothing herein shall be construed so as to interfere with or impede or diminish in any way the right of individuals to work or to strike, nor shall anything in this Act be so construed as an unlawful invasion of the constitutional right to freedom of speech or of peaceful assembly. The fact that provisions of this Act, or some of them, may have been adopted from other states, or the language of the statutes of other states has been used in the preparation of this Act shall, nevertheless, not be taken to adopt as the construction of such provisions the decisions of such other states construing such statutes of other states, and it is not the intention of the General Assembly in adopting this Act necessarily to adopt the construction that may have been placed upon any similar provisions by the Courts of other states.

Section 32. Constitutional Construction:—The provisions of this Act shall be severable. Should any Court of this State or of the United States declare any provision, section, paragraph, clause, sentence, phrase or part of this Act invalid or unconstitutional, or in conflict with any other section, provision, paragraph, clause, sentence, phrase or part of this Act, then such

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decision shall affect only the section, provision, paragraph, clause, sentence, phrase or part thereof declared to be unconstitutional or unauthorized, and shall not affect any other part whatsoever of this Act. The General Assembly of the State of Delaware hereby declares that it would have passed this Act and each section, provision, paragraph, clause, sentence or phrase thereof irrespective of the fact that one or more of the other sections, provisions, paragraphs, clauses, sentences or phrases or parts thereof be declared invalid or unconstitutional.

Section 33. Nothing in this Act shall apply to any carrier, employer or labor dispute subject to the Federal Railway Labor Act.

Section 34. This Act shall not be effective in relation to any person included within the terms "carrier", "carrier by air", "employee", or "representative" as used or defined in the Railway Labor Act, as amended.

Approved April 5, 1947.

CHAPTER 197

MOTOR VEHICLES

OPERATION OF VEHICLES ON DUAL HIGHWAYS

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "MOTOR VEHICLES", WITH REFERENCE TO THE OPERATION OF A VEHICLE ACROSS DIVIDING PARKWAYS BETWEEN DUAL HIGHWAYS AND DIRECTION OF TRAFFIC FOR VEHICLES AND PEDESTRIANS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 286 of Volume 45, Laws of Delaware, 1945, be and the same is hereby further amended by striking out and repealing all of 5640A. Sec. 102A. thereof, and by substituting and enacting in lieu of the part so stricken out a new 5640A. Sec. 102A. as follows:

5640A. Sec. 102A. Driving Across Dividing Parkways Between Dual Highways; Direction of Traffic Fixed by State Highway Department:—(1) It shall be unlawful for any person to drive a vehicle over, upon or across any curb, central dividing parkway, grass plot, or other separation, or dividing line between a dual or multiple lane highway. It is unlawful for the operator of any vehicle to make a left turn or a semicircular or U turn on any such dual or multiple lane highway, except, at designated crossovers constructed by the State Highway Department through an opening in said dividing curb, parkway, grass plot, separation or line. It shall be unlawful to drive any vehicle on any such divided highway except to the right of the central dividing curb, separation, parkway, grass plot or line, or in the case of a one way highway, except in the direction fixed by the State Highway Department. (2) It shall be unlawful for pedestrians to walk on one way highways of the State as established from time to time by the State Highway Department, except in the direction fixed by said Department.

Approved April 7, 1947.

CHAPTER 198

SUSSEX COUNTY LEVY COURT

AUTHORIZING TRANSFER OF MONEY TO GENERAL FUND

AN ACT TO AUTHORIZE AND DIRECT THE LEVY COURT OF SUSSEX COUNTY TO TRANSFER TO THE GENERAL FUND OF SUSSEX COUNTY THE SUM OF TWO HUNDRED THIRTY-SIX DOLLARS AND SIXTY CENTS (\$236.60) APPEARING IN THE FARMERS' BANK OF THE STATE OF DELAWARE, AT GEORGETOWN, AS "THE LEVY COURT OF SUSSEX COUNTY JAIL CONSTRUCTION ACCOUNT".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That The Levy Court of Sussex County be and it is hereby authorized and directed to transfer to the General Fund of Sussex County the sum of Two Hundred Thirty-six Dollars and Sixty Cents (\$236.60) appearing in the Farmers' Bank of the State of Delaware, at Georgetown, as "The Levy Court of Sussex County Jail Construction Account".

Section 2. That the said sum so transferred, as provided for in Section 1 of this Act shall be used towards payment of the general expenses and appropriations by The Levy Court of Sussex County.

Approved April 7, 1947

CHAPTER 199

**BUREAU OF REGISTRATION FOR NEW CASTLE COUNTY
PROVIDING TIME WHEN PERSONS IN ARMED FORCES MAY REGISTER
AND DIVIDING NEW CASTLE COUNTY INTO ELECTION DISTRICTS**

**AN ACT TO AMEND CHAPTER 144, VOLUME 45, LAWS OF
DELAWARE, ENTITLED, "BUREAU OF REGISTRA-
TION FOR NEW CASTLE COUNTY", BY PROVIDING
THE TIME WHEN PERSONS IN THE ARMED FORCES
MAY REGISTER, AND THE DIVIDING OF NEW
CASTLE COUNTY INTO ELECTION DISTRICTS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Section 10, Chapter 144, Volume 45, Laws of Delaware, be and the same is hereby amended by repealing all of the first paragraph of the said Section.

Section 2. That Section 32, Chapter 144, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out of the first paragraph of said Section the words "with the third Saturday" where they appear in the second and third lines from the end of said paragraph, and by substituting in lieu thereof the words, "ten days".

Section 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistencies.

Approved April 7, 1947.

CHAPTER 200

INSURANCE DEPARTMENT

LIFE INSURANCE AND INVESTMENTS OF FUNDS

AN ACT TO AMEND CHAPTER 20 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE INSURANCE DEPARTMENT AND MORE PARTICULARLY RELATING TO LIFE INSURANCE AND TO THE INVESTMENT OF FUNDS OF INSURANCE COMPANIES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 20 of the Revised Code of Delaware, 1935, as amended, be and it hereby is further amended by adding to 492. Sec. 31. of said Chapter a new paragraph numbered *(16) reading as follows,—

*(16) Notwithstanding any direct or implied prohibitions in this section or in Section 30 of this Chapter, any domestic life, fire, marine, casualty or workmen's compensation insurance company may loan or invest its funds to an amount not exceeding in the aggregate five per centum of its total assets in loans or investments not qualified or permitted under the provisions of this Chapter other than this paragraph (16).

Section 2. That said Chapter 20 be and it hereby is further amended by inserting therein a new section to be known as 492-C. Sec. 31-C., reading as follows,—

492-C. Sec. 31-C. Conditions Under Which Foreign or Alien Companies May Hold Real Estate:—A foreign or alien insurance company, authorized to do business in this State, may acquire, by purchase, lease or otherwise, or hold, improve, or develop, for the production of income, real property or any interest therein, and may thereafter own, maintain, manage, lease, collect or receive income from, or sell or convey, any real property or interest therein so acquired and held and any improvements thereon, as permitted by the laws of its domicile.

*so enrolled

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Section 3. That said Chapter 20 be and it hereby is further amended by striking out therefrom the first two paragraphs of 493. Sec. 32. (a) and inserting in lieu thereof two new paragraphs reading as follows,—

493. Sec. 32. (a) The Insurance Commissioner shall annually value, or cause to be valued, the reserve liabilities (hereinafter called reserves) for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance company doing business in this state, except that in the case of an alien company such valuation shall be limited to its insurance transactions in the United States, and may certify the amount of any such reserves, specifying the mortality table or tables, rate or rates of interest and methods (net level premium method or other) used in the calculation of such reserves. In calculating such reserves, he may use group methods and approximate averages for fractions of a year or otherwise. In lieu of the valuation of the reserves herein required of any foreign or alien company, he may accept any valuation made, or caused to be made, by the insurance supervisory official of any state or other jurisdiction when such valuation complies with the minimum standard herein provided and if the official of such state or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the Insurance Commissioner when such certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction.

The Insurance Commissioner may vary the standards of interest and mortality in particular cases of invalid lives and other extra hazards.

Section 4. That said Chapter 20 be and it hereby is further amended by striking out therefrom paragraph numbered (4) of 496. Sec. 35., as amended, and inserting in lieu thereof a new paragraph (4) reading as follows,—

(4). A provision that if the age of the insured (or of any other person whose age is considered in determining the prem-

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ium) has been mis-stated, the amount payable under the policy shall be such as the premium would have purchased at the correct age.

Section 5. That said Chapter 20 be and it hereby is further amended by striking out therefrom paragraph numbered (6) of 496. Sec. 35., as amended, and inserting in lieu thereof a new paragraph (6) reading as follows,—

(6). A provision that after the policy has been in force three full years, the company, at any time while the policy is in force, will advance, on proper assignment or pledge of the policy and on the sole security thereof, at a specified rate of interest, a sum equal to, or at the option of the insured less than the amount required by 496-C. Sec. 35-C. under the conditions specified thereby; and that the company may deduct from such loan value (in addition to the indebtedness deducted in determining such value) any unpaid balance of the premium for the current policy year, and may collect interest in advance on the loan to the end of the current policy year. This provision shall not be required in term insurance, nor shall it apply to temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies. If any loan under the foregoing provision is made or extinguished on a date other than an interest due date, the company shall be entitled to interest pro-rata for the applicable portion of a year at the rate of interest specified in the policy. If the interest on any loan is not paid when due, it shall be added to the existing loan, and shall bear interest at the same rate.

Section 6. That said Chapter 20 be and it hereby is further amended by striking out from the end of paragraph numbered (10) of 496. Sec. 35. the words "and that such reinstated policy shall be contestable, on account of fraud or misrepresentation of material facts pertaining to the reinstatement, for the same period after reinstatement as provided in the policy with respect to original issue." and inserting a period after the word "annually" immediately preceding the said words so stricken out.

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Section 7. That said Chapter 20 be and it hereby is further amended by striking out therefrom paragraph numbered (11) of 496. Sec. 35. and inserting in lieu thereof a new paragraph (11) reading as follows,—

(11). A provision that when a policy shall become a claim by the death of the insured, settlement shall be made upon receipt of due proof of death and surrender of the policy.

Section 8. That said Chapter 20 be and it hereby is further amended by striking out therefrom paragraph numbered (6) of 496-B. Sec. 35-B. (a) and inserting in lieu thereof a new paragraph (6) reading as follows,—

(6). A statement of the method to be used in calculating the cash surrender value and the paid-up non-forfeiture benefit available under the policy on any policy anniversary beyond the last anniversary for which such values and benefits are consecutively shown in the policy, with an explanation of the manner in which the cash surrender values and the paid-up non-forfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy.

Section 9. That said Chapter 20 be and it hereby is further amended by striking out therefrom the first paragraph of 496-B. Sec. 35-B. (d) and inserting in lieu thereof a new paragraph reading as follows,—

(d). The adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year, excluding extra premiums to cover impairments or special hazards, that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (i) the then present value of the future guaranteed benefits provided for by the policy; (ii) two per cent of the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount, as hereinafter defined, if the amount of insurance varies with duration of the policy; (iii) forty per cent of the adjusted

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premium for the first policy year; (iv) twenty-five per cent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less. Provided, however, that in applying the percentages specified in (iii) and (iv) above, no adjusted premium shall be deemed to exceed four per cent (4%) of the amount of insurance or level amount equivalent thereto. The date of issue of a policy for the purpose of this subsection shall be the date as of which the rated age of the insured is determined.

Section 10. That said Chapter 20 be and it hereby is further amended by striking out therefrom paragraph (a) of 496-C. Sec. 35-C. and inserting in lieu thereof a new paragraph (a) reading as follows,—

(a). In the case of policies issued after January 1, 1932 and prior to the operative date of 496-B. Sec. 35-B., the loan value referred to in Paragraph (6) of 496. Sec. 35. shall be the reserve at the end of the current policy year on the policy and on the dividend additions thereto, if any, exclusive of the reserve on account of return premium insurance and of total and permanent disability and additional accidental death benefits, less any existing indebtedness to the company on or secured by the policy, and less a sum not more than (i) two and one-half per centum of the amount insured by the policy and of any dividend additions thereto or, at the option of the company, (ii) one-fifth of said reserve. Such policies may provide that such loan may be deferred for not exceeding six months after the application therefor is made.

Section 11. That said Chapter 20 be and it hereby is further amended by striking out therefrom 501. Sec. 40. and inserting in lieu thereof a new 501. Sec. 40. reading as follows,—

501. Sec. 40. **Contestability of Reinstated Policy:**—A reinstated policy shall be contestable, on account of fraud or misrepresentation of material facts pertaining to the reinstatement,

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for the same period after reinstatement as provided in the policy with respect to original issue.

Section 12. That said Chapter 20 be and it hereby is further amended by striking out therefrom 504. Sec. 43. and inserting in lieu thereof a new 504. Sec. 43 reading as follows,—

504. Sec. 43. **Rights of Creditors and Beneficiaries Under Policies of Life Insurance:**—If a policy of insurance, whether heretofore or hereafter issued, is effected by any person on his own life or on another life, in favor of a person other than himself, or, except in cases of transfer with intent to defraud creditors, if a policy of life insurance is assigned or in any way made payable to any such person, the lawful beneficiary or assignee thereof, other than the insured or the person so effecting such insurance or the executors or administrators of such insured or of the person so effecting such insurance, shall be entitled to its proceeds and avails against the creditors and representatives of the insured and of the person effecting the same, whether or not the right to change the beneficiary is reserved or permitted, and whether or not the policy is made payable to the person whose life is insured if the beneficiary or assignee shall predecease such person; provided, that, subject to the statute of limitations, the amount of any premiums for said insurance paid with intent to defraud creditors, with interest thereon, shall enure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payments of its proceeds in accordance with its terms, unless before such payment the company shall have written notice, by or in behalf of a creditor, of a claim to recover for transfer made or premiums paid with intent to defraud creditors, with specification of the amount claimed.

Section 13. That said Chapter 20 be and it hereby is further amended by striking out therefrom 505. Sec. 44. and inserting in lieu thereof a new 505. Sec. 44. reading as follows,—

505. Sec. 44. **To Hold Proceeds of Certain Policies in Trust:**—Any Life Insurance Company may hold the proceeds of any policy issued by it under a trust or other agreement upon

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such terms and restrictions as to revocation by the policyholder and control by beneficiaries and with such exemptions from the claims of creditors of beneficiaries other than the policyholder as shall have been agreed to in writing by such company and the policy holder. Such insurance company shall not be required to segregate funds so held but may hold them as a part of its general corporate assets.

Section 14. That said Chapter 20 be and it hereby is further amended by striking out therefrom the first paragraph of 507. Sec. 46. and inserting in lieu thereof a new paragraph reading as follows,

507. Sec. 46. Insurance Without the Consent of the Insured Prohibited; Minors:—No policy or agreement for insurance, other than an annuity or a policy of group insurance, or medical reimbursement insurance, shall be issued upon the life or health of another or against loss by disablement by accident except upon the application or with the written consent of the person insured; except that, a wife may take a policy of insurance upon the life or health of her husband or against loss by his disablement by accident; an employer may take out a policy of insurance covering his employees collectively for the benefit of such as may suffer loss from injury, death or disablement resulting from sickness; a parent or guardian of a student, or a college, school or other institution of learning, or the head or principal thereof, may take a policy of insurance against loss caused by the sickness or injury of a student or other person; and a person upon whom a child is dependent for support may take a policy of insurance on such child.

Section 15. That said Chapter 20 be and it hereby is further amended by striking out therefrom 508. Sec. 47. and inserting in lieu thereof a new 508. Sec. 47. reading as follows,—

508. Sec. 47. Insurance of Husband's Life; Married Woman May Effect:—A married woman may effect insurance on the life of her husband and all proceeds and avails of such insurance shall be free from the claims of the representatives of

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the husband, or of any of his creditors, whether or not the right to change the beneficiary is reserved or permitted; provided that, subject to the statute of limitations, the amount of any premiums for said insurance paid out of the funds or property of the husband with intent to defraud creditors, with interest thereon, shall enure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice, by or in behalf of a creditor, of a claim to recover for premiums paid with intent to defraud creditors, with specifications of the amount claimed.

Section 16. That said Chapter 20 be and it hereby is further amended by striking out therefrom 509. Sec. 48. and the said 509. Sec. 48. is hereby repealed.

Approved April 7, 1947.

CHAPTER 201

FERRIS SCHOOL FOR BOYS

PROVIDING FOR INCARCERATION OF CERTAIN INMATES TO
NEW CASTLE COUNTY WORKHOUSE

**AN ACT TO AMEND CHAPTER 70 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
FERRIS SCHOOL FOR BOYS, PROVIDING FOR THE
INCARCERATION OF CERTAIN INMATES OF THE
SAID SCHOOL IN THE NEW CASTLE COUNTY WORK-
HOUSE, AND SETTING FORTH PROCEDURE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Article 1, Chapter 70, Revised Code of Delaware, 1935, as amended, be further amended by inserting and enacting after 2505. Sec. 7. thereof a new Section to be designated 2505A. Sec. 7A., as follows:

2505A. Sec. 7A. (a) That the Trustees of the Ferris School for Boys shall have the power and authority, in the case of any minor committed to their care and custody, to make application to any Judge of the Court of General Sessions for authority and permission to place such minor in the New Castle County Workhouse for correction or safekeeping.

(b) That such application shall be by petition and shall contain an allegation under oath signed by a majority of the Trustees that such minor is destructive to the program for the rehabilitation and reconstruction of other minors in said School.

(c) That upon a proper petition, a Judge of the Court of General Sessions finding as a fact, after a hearing, that such minor is destructive to the program of the School, and is hindering and delaying the rehabilitation and reconstruction of other minors in said School, the said Judge may, in his discretion, authorize the Trustees to place such minor in the New Castle County Workhouse, with the Warden thereof acting as agent for the said Trustees in the care and maintenance of such minor.

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The incarceration of such minor in said New Castle County Workhouse may be determinate or indeterminate as to time, with the exception that no minor shall be incarcerated in said Workhouse, with the Warden as agent for the Trustees, after such minor has reached the age of twenty-one years; that in case of the placing of a minor in the New Castle County Workhouse for an indeterminate time, the Warden and Trustees, upon a petition, may request the return of such minor to the Ferris School for Boys upon a showing that in the opinion of the Trustees and the Warden the minor has been rehabilitated to such an extent that he is no longer destructive to the program of the said School.

(d) That in the case of any minor sent to the New Castle County Workhouse hereunder, at the time of the admittance of the minor to the said New Castle County Workhouse, there shall be presented to the Warden an order of the authorizing Judge, stating the circumstances under which the minor is committed to the Warden of the New Castle County Workhouse as agent for the Trustees of the Ferris School for Boys, and that in all cases the said Warden shall hold such minor separate and apart from the more hardened criminals.

(e) That the Trustees of the Ferris School for Boys are directed to pay to the Trustees of the New Castle County Workhouse from their account such sum or sums of money as may be reasonably due for the maintenance of any minor or minors while in the New Castle County Workhouse.

Approved April 7, 1947.

CHAPTER 202

DELAWARE STATE COLLEGE

AN ACT TO AMEND CHAPTERS 71 AND 73, REVISED CODE OF DELAWARE, 1935, AS AMENDED, BY CHANGING THE NAME OF THE STATE COLLEGE FOR COLORED STUDENTS TO DELAWARE STATE COLLEGE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 71 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out of said Chapter wherever they appear the words, "State College for Colored Students" and by substituting and enacting in lieu of the words so stricken out the words, "Delaware State College".

Section 2. That Chapter 73 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out of said Chapter wherever they appear the words, "State College for Colored Students" and by substituting and enacting in lieu of the words so stricken out the words, "Delaware State College".

Section 3. Any and all unexpended appropriations made heretofore or to be hereafter made to the State College for Colored Students shall be available for use of the Trustees of Delaware State College on and after the passage and approval of this Act.

Approved April 7, 1947.

CHAPTER 203

CONVEYANCES

VALIDATING AS DEEDS CERTAIN INSTRUMENTS INTENDED
TO BE CONVEYANCES OF REAL PROPERTY

**AN ACT TO AMEND CHAPTER 92 OF THE REVISED CODE
OF DELAWARE, 1935, ENTITLED, "CONVEYANCES",
BY VALIDATING AS DEEDS CERTAIN INSTRUMENTS
INTENDED TO BE CONVEYANCES OF REAL PROP-
ERTY.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 92 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing 3676. Sec. 19., thereof and substituting and enacting in lieu thereof a new Section to be known as 3676. Sec. 19. thereof as follows:

3676. Sec. 19. **Certain Instruments Validated as Deeds; When; Proviso:**—An instrument which by its terms purports to alienate or convey lands, tenements or hereditaments situated in this State and which, prior to the first day of January A. D. 1947, was signed by the person or persons who at the time were the owners of the lands, tenements or hereditaments mentioned therein and which was also acknowledged by such owner or owners before an officer authorized by the Laws of Delaware to take acknowledgments, as the act and deed of such person or persons, shall be deemed and held to alienate or convey the title, estate and interest, both at law and in equity, of the owner or owners signing and acknowledging such instrument as aforesaid, according to the true intent and meaning of such instrument, notwithstanding that the said instrument is not under the seal or seals of the said owner or owners and notwithstanding that the said instrument does not contain the words commonly known as the "use Clause" and/or the word "grant" and/or the words "bargain and sell"; provided, that no right of

CONVEYANCES

VALIDATING AS DEEDS CERTAIN INSTRUMENTS INTENDED
TO BE CONVEYANCES OF REAL PROPERTY

dower or curtesy shall be barred or released except when the person who would have such right of dower or of curtesy shall have signed and acknowledged the instrument aforesaid; and provided further, that nothing in this Section contained shall preclude any action or right of action, either at law or in equity, which any party in interest would have had if the instrument aforesaid had been under the seals of the persons executing the same and had been in the customary form of a deed in this State and this Section had not been passed.

Approved April 7, 1947.

CHAPTER 204

RELATING TO CHILDREN BORN AFTER MAKING
OF WILLS**AN ACT TO AMEND CHAPTER 93 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
CHILDREN BORN AFTER THE MAKING OF WILLS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 93 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by striking out and repealing all of 3716. Sec. 14. thereof and inserting and enacting in lieu thereof a new section to be styled 3716. Sec. 14. as follows:

"3716. Sec. 14. **After-Born Children; Take as If Under Intestacy of Parent; When:**—A child, born after its parent shall have made a last will and testament, and for which such parent shall have made no provision, vested or contingent, specifically or as member of a class, by will or otherwise, shall take the same portion of its said parent's estate, both real and personal, that he would have been entitled to if such parent had died intestate; provided, however, that this Section shall not apply and no intestacy shall be created as to any child or children born after the date of the execution of a will in any case where the testator has provided in his said last will and testament that the birth of any child or children subsequently shall not affect the said will."

Approved April 7, 1947.

CHAPTER 205

RELATING TO PROTECTION OF STATE OWNED
PROPERTY AND EQUIPMENT**AN ACT TO AMEND CHAPTER 100 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, ENTITLED,
"GENERAL PROVISIONS RESPECTING THE POLICE",
WITH REFERENCE TO THE PROTECTION OF STATE-
OWNED PROPERTY AND EQUIPMENT.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (two-thirds
of all the members elected to each House thereof concurring
therein):*

Section 1. That Chapter 100 of the Revised Code of Delaware, 1935, be and the same is hereby amended by adding after 3961. Sec. 66. of Article 16 thereof, a new Section to be designated 3961A. Sec. 66A. as follows:

3961A. Sec. 66A. Unlawful to Destroy, Damage or Carry Away State Property; Penalty; Jurisdiction of Courts; Arrest of Violator:—It shall be unlawful for any person or persons to destroy, mutilate, deface, injure or remove any part thereof, of any State property, equipment, furniture, fixtures, buildings, monuments, markers, tablets, signs, plaques or statues.

It shall be unlawful for any person or persons to, in any manner, cut down, destroy, break, dig, take or carry away without lawful authority or consent, any shrub, tree, bush or vine being or growing on any State-owned property.

Whoever shall enter into or trespass upon the property aforesaid and shall damage, destroy or injure the same, shall be guilty of violating the provisions of this Act. Any person convicted for the violation of any provision of this Act shall be punished by a fine of not less than Fifteen Dollars (\$15.00) nor more than One Hundred Dollars (\$100.00) within the discretion of the Court. Any Justice of the Peace of the State, any Court of Common Pleas of the State, and the Municipal Court of the City

**RELATING TO PROTECTION OF STATE OWNED
PROPERTY AND EQUIPMENT**

of Wilmington, shall, within their respective jurisdictions, have plenary jurisdiction of any violation of the provisions of this Act.

Any constable, or other conservator of the peace, State official or employee, the owner or occupier of such lands or property, his agent or employee, or any other person or persons whom he or any of them may call to their or his assistance shall have authority to arrest such trespasser or damager of property, either with or without warrant, either upon the premises or in immediate flight therefrom, and, if with warrant, then at any place.

Approved April 7, 1947.

CHAPTER 206

FERRIS SCHOOL FOR BOYS

INCARCERATION IN NEW CASTLE COUNTY WORKHOUSE FOR MINORS

AN ACT TO AMEND CHAPTER 101 OF THE REVISED CODE OF DELAWARE; 1935, AS AMENDED, CONCERNING THE INCARCERATION IN THE NEW CASTLE COUNTY WORKHOUSE OF MINORS IN THE FERRIS SCHOOL FOR BOYS WITH THE WARDEN AS AGENT FOR THE TRUSTEES OF THE FERRIS SCHOOL FOR BOYS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Article 2, Chapter 101, Revised Code of Delaware, 1935, as amended, be further amended by adding at the end of said Article a new Section to be designated 4149A. Sec. 32A., as follows:

4149A. Sec. 32A. **Warden as Agent for Trustees to Receive Certain Minors; Minors from Ferris School Held Separate from More Hardened Criminals; Maintenance and Upkeep of Minors; Redelivery of Minors to the Trustees of the Ferris School for Boys:—**(a) That it shall be lawful for the Warden of the New Castle County Workhouse, as agent for the Trustees of the Ferris School for Boys, to accept and receive into the New Castle County Workhouse any minor properly committed under authority of and pursuant to Chapter*, Laws of Delaware, 1947, the same being an amendment to Chapter 70 of the Revised Code of Delaware, 1935.

(b) That while any such minor is an inmate of the New Castle County Workhouse he shall be held separate and apart from the more hardened criminals, and the Trustees of the New Castle County Workhouse are directed to bill monthly the Trustees of the Ferris School for Boys for the maintenance and upkeep of all minors in the institution.

(c) That in all cases where a minor is released from the New Castle County Workhouse, he shall be redelivered to the Trustees of the Ferris School for Boys for parole or discharge, or further confinement in the Ferris School for Boys.

Approved April 7, 1947.

CHAPTER 207

COURT OF CHANCERY

PROVIDING FOR RELEASE OF POWERS OF APPOINTMENT

AN ACT TO AMEND CHAPTER 117 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, BY PROVIDING FOR THE RELEASE OF POWERS OF APPOINTMENT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 117 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by enacting and inserting after 4414. Sec. 48. of Chapter 117 a new section to be known as 4414a. Sec. 48a. as follows:

4414a. Sec. 48a. Release of Powers of Appointment:—

(1) Any power which is exerciseable by deed, by will, by deed or will, or otherwise, whether general or special, other than a power in trust which is imperative, is releasable, either with or without consideration, by written instrument signed by the grantee and delivered as hereinafter provided.

(2) A power which is releasable may be released with respect to the whole or any part of the property subject to such power and may also be released in such manner as to reduce or limit the persons or objects, or classes of persons or objects, in whose favor such power would otherwise be exercisable. No release of a power shall be deemed to make imperative a power which was not imperative prior to such release, unless the instrument of release expressly so provides.

(3) Such release may be delivered to any of the following:

(a) Any person specified for such purpose in the instrument creating the power.

(b) Any trustee of the property to which the power relates.

(c) Any person, other than the grantee, who could be adversely affected by an exercise of the power.

COURT OF CHANCERY

PROVIDING FOR RELEASE OF POWERS OF APPOINTMENT

(d) The Recorder of Deeds in any county and when so filed the Recorder of Deeds shall record the same in a separate docket, provided, however, that any such release, recorded in any county record prior to the passage of this act shall be deemed to be sufficient delivery within the provisions of this Act.

(4) This Section shall apply to releases heretofore and hereafter executed but nothing herein contained shall be deemed to affect the validity of any release heretofore executed.

Approved April 7, 1947.

CHAPTER 208

WAREHOUSE RECEIPTS

LIABILITY OF A WAREHOUSEMAN

AN ACT TO AMEND CHAPTER 172 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "WAREHOUSE RECEIPTS", WITH REFERENCE TO THE LIABILITY OF A WAREHOUSEMAN.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 172 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended, by striking out and repealing all of 5912. Sec. 20. thereof and inserting and enacting in lieu of the part so stricken out a new 5912. Sec. 20., as follows:

5912. Sec. 20. Warehouseman, Liability of, Goods Non-Existent &c.:—A warehouseman shall be liable to the holder of a receipt, issued by him or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the issuing of warehouse receipts, for damages caused by the non-existence of the goods or by the failure of the goods to correspond with the description thereof in the receipt at the time of its issue. If, however, the goods are described in a receipt merely by a statement of marks or labels upon them, or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind, or that the packages containing the goods are said to contain goods of a certain kind, or by words of like purport, such statement, if true, shall not make liable the warehouseman issuing the receipt, although the goods are not of the kind which the marks or labels upon them indicate, or of the kind they were said to be by the depositor.

Approved April 7, 1947.

CHAPTER 209

**CONCERNING CRIMES COMMITTED BY JUVENILES
BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN YEARS****AN ACT CONCERNING CERTAIN CRIMES COMMITTED BY
JUVENILES BETWEEN THE AGES OF SIXTEEN AND
EIGHTEEN YEARS.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. Any child, who has attained his or her sixteenth birthday and who is alleged to have thereafter committed an offense, which, but for the passage of this Statute would have been a delinquent act only and who, in the judgment of the Court which conducts, on behalf of the State of Delaware, a hearing in his or her interest, is not amenable to and will not profit by the processes of said Court, may, in the discretion of the Attorney General of the State of Delaware, and with the consent of a Judge of the Court of General Sessions or a Judge of the Court of Oyer and Terminer, as the case may be, of the County in which the offense is committed, be proceeded against by information or indictment and be prosecuted in the same manner and in the same Court, and upon conviction shall suffer the same penalties for the commission of the said offense as if said child were an adult beyond the age of twenty-one years at the time of the commission of the said offense.

Section 2. When the Attorney General exercises his discretion to proceed by information or indictment against such a child, and shall have filed in the office of the Clerk of the Peace of the County in which the said offense was committed, as a part of the permanent records in the case, a statement in writing, signed by the Judge of the inferior Court having jurisdiction of the child and of the offense, setting forth that in the judgment of the said Court said child is not amenable to and will not profit by the processes of said Court, and a Judge of the Court of General Sessions or a Judge of the Court of Oyer and Terminer of the County in which said offense is committed, has entered an appropriate order assuming jurisdiction for the proper Court, the

**CONCERNING CRIMES COMMITTED BY JUVENILES
BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN YEARS**

same shall constitute a deprivation of jurisdiction over the person and the offense of the said child of all inferior Courts of this State, and the sole and exclusive jurisdiction of the person and of the offense of the said child shall vest in the Court of General Sessions or the Court of Oyer and Terminer, as the case may be, and the Attorney General may thereafter proceed by information or indictment, as the case may be.

Section 3. If a Judge of the Court of General Sessions or a Judge of the Court of Oyer and Terminer of the County in which the offense is committed shall fail to enter an order assuming jurisdiction for the proper Court of the said child, then the inferior Court having original jurisdiction in the aforesaid matter shall continue to exercise its jurisdiction.

Section 4. This Act shall not be construed as dealing with those crimes over which the Court of Oyer and Terminer now has exclusive jurisdiction.

Section 5. All Acts inconsistent herewith are deemed amended hereby.

Approved April 7, 1947.

CHAPTER 210

APPROPRIATION

FERRIS SCHOOL FOR BOYS

**AN ACT MAKING AN ADDITIONAL APPROPRIATION FOR
THE EXPENSES OF THE FERRIS SCHOOL FOR BOYS
FOR THE FISCAL YEAR ENDING ON THE 30TH DAY
OF JUNE, A. D. 1947.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That there is hereby appropriated to The Board of Trustees of the Ferris School for Boys for additional expenditures of the school during the fiscal year ending June 30th, 1947, the sum of Twenty-two Thousand Dollars (\$22,000.00), which appropriation is necessary because of the employment of additional personnel and a general increase in the cost of food, the purchase of school books and teaching material, the replenishing of beef cattle stock to efficiently utilize the existing supply of stock feed, and other supplies necessary to operate the institution, and itemized as follows:

| | |
|--------------------------|-------------|
| Salaries and Wages | \$14,620.00 |
| Operation | |
| Food | 2,880.00 |
| School Supplies | 500.00 |
| Cattle | 4,000.00 |
| | <hr/> |
| Total..... | \$22,000.00 |

Section 2. This Act shall be known as a Supplementary and a Deficiency Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 7, 1947.

CHAPTER 211

APPROPRIATION

DELAWARE STATE COLLEGE FOR AGRICULTURAL
ASSISTANCE AND INSTRUCTION

AN ACT MAKING APPROPRIATIONS TO THE STATE COLLEGE FOR COLORED STUDENTS TO STRENGTHEN THE DEPARTMENT OF AGRICULTURE THEREIN BY PROCURING AN INSTRUCTOR AND BROADENING THE SCOPE OF ASSISTANCE AND INSTRUCTION TO NEGRO FARMERS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That there is hereby appropriated the sum of Five Thousand Dollars (\$5,000.00) for the fiscal year beginning July 1, 1947 and ending June 30, 1948 and the like sum of Five Thousand Dollars (\$5,000.00) for the fiscal year beginning July 1, 1948 and ending June 30, 1949, to be used by the State College for Colored Students to strengthen the Department of Agriculture therein by securing a competent instructor to work with the officials of the Institution in improving the courses in Agriculture offered, to carry on experimental work in agriculture among the Negro farmers of the State, to assist and instruct Negro farmers, and to arrange conferences to aid in carrying out the purposes stated.

Section 2. The money so appropriated shall be paid out of the State Treasury upon warrants approved by the proper officials of the College.

Section 3. This Act shall be known as a Supplementary Appropriation Act and the money hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 7, 1947.

CHAPTER 212

FAMILY COURT OF NEW CASTLE COUNTY

SALARY OF JUDGE AND LIMIT OF BUDGET

AN ACT TO AMEND AN ACT CREATING A FAMILY COURT FOR NEW CASTLE COUNTY, DELAWARE, BEING CHAPTER 241, VOLUME 45, LAWS OF DELAWARE, WITH REFERENCE TO THE SALARY OF THE JUDGE OF SAID COURT AND TO THE LIMIT OF THE TOTAL BUDGET OF THE COURT.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Volume 45, Laws of Delaware be amended by striking out the fourth paragraph of Section 5 of Chapter 241 thereof, relating to the salary of the Judge, and by inserting and enacting in lieu of the part so stricken out, the following new fourth paragraph:

The Salary of the Judge shall be Eight Thousand and Five Hundred Dollars (\$8,500.00) for the fiscal year beginning July 1, 1947 and ending June 30, 1948 and for each like fiscal year period thereafter.

Section 2. That Volume 45, Laws of Delaware, be further amended by striking out of Section 8 of Chapter 241 thereof all after the semicolon in Line 10 of said Section 8 as printed on Page 941 of Volume 45, Laws of Delaware and by inserting and enacting in lieu of the part so stricken out the following:

Provided, however, that the total budget of the Court for the fiscal year beginning July 1, 1946 and ending June 30, 1947 shall not exceed the sum of Fifty-two Thousand and Five Hundred Dollars (\$52,500.00) and provided further that the total budget of the Court for the fiscal year beginning July 1, 1947 and ending June 30, 1948 and for each like fiscal year period thereafter shall not exceed the sum of Eighty-five Thousand Dollars (\$85,000.00).

Approved April 7, 1947.

CHAPTER 213

FAMILY COURT OF NEW CASTLE COUNTY

AN ACT TO AMEND AN ACT CREATING A FAMILY COURT FOR NEW CASTLE COUNTY, DELAWARE, BEING CHAPTER 241, VOLUME 45, LAWS OF DELAWARE, 1945, BY REDEFINING THE WORD "FAMILY", BY GRANTING CONCURRENT JURISDICTION OVER CERTAIN WRITS OF HABEAS CORPUS, BY PROVIDING FOR THE APPOINTMENT OF A DEPUTY CLERK OF THE SAID COURT, AND WITH REFERENCE TO THE SALARY AND DUTIES OF THE CLERK OF THE COURT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House thereof concurring therein):

Section 1. That Volume 45, Laws of Delaware, be amended by striking out the last paragraph of Section 3 of Chapter 241 thereof relating to the definition of the word "Family", and by inserting and enacting in lieu of the part so stricken out the following:

The word "Family" as used in this act shall be construed to mean husband and wife; a man and woman who are cohabiting with each other as husband and wife, but without the benefit of ceremonial marriage; parent and child; guardian and ward; and also any group of persons residing together in one home or household and under one head or management and who are related or connected by blood, marriage, or operation of law.

Section 2. That Section 4 of Volume 45, Laws of Delaware, 1945, be further amended by enacting and adding a new paragraph designated (c) immediately after paragraph designated (b) on Page 938 of said Volume 45, relating to concurrent jurisdiction of the Family Court of New Castle County, to read as follows:

(c) To hear and determine writs of Habeas Corpus or other proceedings brought for the purpose of gaining or retaining the possession or legal custody of any child as defined in

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this act, or for the purpose of determining whether any child as defined in this act is being unlawfully detained by any person, agency, or institution.

Section 3. That Volume 45, Laws of Delaware, be further amended by striking out the second paragraph of Section 5 of Chapter 241 thereof relating to the qualifications of the Judge and by inserting and enacting in lieu of the part so stricken out the following new second paragraph:

The Judge shall be a person duly admitted to the practice of law in the State of Delaware who, in the opinion of the Governor, shall be qualified to be a Judge of the Court by his acquaintance with social problems and understanding of child psychology. Said Judge shall be eligible for re-appointment. During his tenure of office the Judge shall not be permitted to engage in the practice of law.

Section 4. That Volume 45, Laws of Delaware, be further amended by striking out all of Section 7 of Chapter 241 thereof and by inserting and enacting in lieu of the part so stricken out the following new Section 7:

Section 7. Clerk:—The Judge shall appoint a suitable person to act as Clerk of the Court, who shall hold said office at the pleasure of the Judge, and shall receive an annual salary of Three Thousand Dollars (\$3,000.00). The clerk shall have care of the records of the Court and he shall receive all fees, fines, and costs arising out of any proceeding had in the Court. After deducting the cost of the service of process of the Court and the costs of executing the orders of the Court relating to matters properly before it, he shall each month, pay the balance of fines and costs in his hands, one-half to the Mayor and Council of the City of Wilmington and one-half to the Levy Court of New Castle County.

The Clerk, before entering upon the duties of his office, shall give bond to the State of Delaware in the sum of Ten Thousand Dollars (\$10,000.00) with surety, acceptable to the Judge, to execute faithfully all the duties of his office during his

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continuance therein, and should he fail to give bond as required within ten days from the date of his appointment, the Judge shall make a new appointment.

The Clerk may administer all necessary oaths; he shall enter the judgments, issue commitments and executions to enforce the same, and make up and keep the records of the Court in all cases therein under the direction of the Judge. He shall issue all process under his hand and the seal of the Court and shall test the same in the name of the Judge, signing it by his title of office, and shall tax costs.

He may issue summons or warrants, returnable before the Judge, upon complaint filed in writing and upon oath, in any case within the jurisdiction of the Court.

He may take bail from persons arrested, when the Court is, or is not in session, subject to revision by the Court and shall also, under the direction of the Judge, do all other acts necessary to carry out the jurisdiction and process of the Court, and the execution of its lawful orders.

The Judge may appoint a member of the clerical staff of the Court, as Deputy Clerk who shall hold office at the pleasure of the Judge, and who during his or her tenure in office shall possess and exercise all of the powers and shall perform all of the duties of the Clerk upon resignation, removal or absence of said official. The Deputy Clerk so appointed shall give bond in an amount and with surety, satisfactory to the Judge, such bond to be conditioned for the faithful execution of the duties of the office.

Approved April 7, 1947.

CHAPTER 214

DELAWARE STATE EMPLOYEES' PENSION ACT
REPEALING CONTRIBUTORY PROVISIONS

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT PROVIDING FOR THE PAYMENT OF PENSION BENEFITS TO CERTAIN STATE EMPLOYEES, FIXING AGES OF RETIREMENT, ESTABLISHING BENEFITS PAYABLE AND THE SOURCE OF PAYMENT THEREOF, PROVIDING FOR APPLICATIONS FOR PENSIONS AND THE PROCEDURE TO BE FOLLOWED WITH RESPECT THERETO, PROVIDING THAT PENSION BENEFITS SHALL BE FREE OF ATTACHMENT AND NON-ASSIGNABLE, AND ALSO PROVIDING FOR THE REDUCTION OF BENEFITS UNDER CERTAIN CONDITIONS", BEING CHAPTER 104 OF VOLUME 45, LAWS OF DELAWARE, BY REPEALING THE CONTRIBUTORY PROVISIONS OF SAID ACT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 104 of Volume 45, Laws of Delaware, be amended by repealing all of Sections 12 and 13 thereof and by substituting and enacting in lieu of the Sections so stricken out and repealed a new Section to be numbered 12 as follows:

Section 12. The provisions of this Act with respect to the retirement of covered employees after having served the State for thirty-five years shall not become effective until the first day of July A. D. 1947.

Approved April 7, 1947.

CHAPTER 215

MILLSBORO

AUTHORIZING BOND ISSUE

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MILLSBORO TO BORROW \$200,000 AND TO ISSUE BONDS TO SECURE THE PAYMENT THEREOF, FOR THE PURPOSE OF PROVIDING A SEWAGE DISPOSAL PLANT AND SYSTEM IN THE TOWN OF MILLSBORO AND TO CONTROL AND REGULATE THE SAME.

WHEREAS, the General Assembly of the State of Delaware at its biennial session passed an Act in the year 1945 authorizing the Commissioners of Millsboro under certain conditions to borrow \$100,000 and to issue bonds to secure the payments thereof; and

WHEREAS, it has been determined that the said sum of \$100,000 will not be sufficient to pay for the construction of a sewerage system and sewage disposal plant and system; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein):

Section 1. That the Commissioners of Millsboro, a Municipal Corporation of the State of Delaware, in addition to the powers given it by Chapter 186, Volume 45, Page 735 of the Laws of Delaware, to issue \$100,000 of bonds of the Town of Millsboro, be and it is hereby authorized to borrow and to issue on the faith and credit of the Town of Millsboro an additional sum not exceeding \$200,000 to be borrowed and bonds issued under the same conditions and subject to the same precautions and requirements as were made in said Chapter 186, Volume 45 of the Laws of Delaware as to the borrowing of \$100,000. The total authorization from this bill and Chapter 186 of the Laws of Delaware being the sum of \$300,000. The Commissioners of the Town of Millsboro shall on the passage of this Act be authorized to borrow the said total sum of \$300,000 and to issue

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bonds in accordance with the provisions of Chapter 186, Volume 45 of the Laws of Delaware and to expend the same in the construction of a sewerage system for the Town of Millsboro and for the construction of a sewage system for the town of Millsboro and for the construction of a sewage disposal plant and system for the town of Millsboro.

Approved April 7, 1947.

CHAPTER 216

MILLSBORO

EXTENDING TOWN LIMITS

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", BEING CHAPTER 203 OF VOLUME 25, LAWS OF DELAWARE, AND AUTHORIZING THE ANNEXATION OF CERTAIN CONTIGUOUS TERRITORY TO THE SAID TOWN.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein):

Section 1. That Chapter 203, Volume 25, Laws of Delaware, be and the same is hereby amended by striking out and repealing all of Section 3 and by inserting and enacting in lieu thereof the following new Section to be known as Section 3:

Section 3. The said corporation shall have power to annex certain additional contiguous territory to the present limits of the said corporation and after such additions, the description of the town limits shall be as follows:

Beginning in the center of the old State road leading from Georgetown to Berlin, Maryland, and the center of the raceway of Betts mill (formerly Burtons upper mill), thence with old State road S. 38° 53' E. 164.2 ft. to the junction with a road leading out of Millsboro, or State Street extended; thence continuing with the old State road leading from Georgetown to Berlin, Maryland, the following courses: S. 7° 57' E. 467.4 ft.; S. 6° 17' E. 576.1 ft.; S. 3° 52' E. 555.8 ft.; S. 5° 58' E. 503.3 ft. to the center of the DuPont Highway; thence S. 7° 48' E. 2146. ft. to the center of the concrete road leading from Millsboro to Gumboro; thence S. 9° 12' E. 1201. ft. to the center of a dirt road leading into Millsboro, and the Old Landing road (this point being originally known as Burtonsville) thence S. 11° 32' E. 825.3 ft.; S. 34° 50' E. 1591.3 ft. to a fork in the road; thence S. 68° 05' E. 349.5 ft. to the center of Iron Branch; thence down Iron Branch with the several meandering thereof, to Indian Branch; thence down

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EXTENDING TOWN LIMITS

Indian Branch with the several meandering thereof, to Indian River; thence up the westerly shore of Indian River to the afore-said raceway of Betts mill; thence up said raceway to the place of beginning.

And extend and apply to such additional territory all laws, ordinances, resolutions in force within said town, so far as they may be locally applicable. Before such additional territory shall be annexed to said town the Commissioners shall pass a resolution describing and defining accurately the territory proposed to be annexed. However, before such territory shall be annexed the question of such annexation shall be first submitted at a special election to the qualified voters and real estate owners of the territory proposed to be annexed and included in the limits of said city or incorporated town at such election, after a majority of the qualified voters and real estate owners in such territory shall vote approval to be included within the limits of said town, then and only then shall such territory be included within the limits of said town. Such special election shall be held by the proper election officers of the town of Millsboro. Each real estate owner shall be entitled to one vote for each \$100 of real estate assessed to him or her on the assessment records in Sussex County. Each qualified voter not being the owner of real estate within said territory shall be entitled to one vote. If such annexation shall not be approved at the first election, a subsequent election may be held under the provisions of this Act provided that no two elections may be held within twelve months of each other.

Approved April 7, 1947.

CHAPTER 217

LEWES

PROVIDING FOR PENSIONS FOR AGED EMPLOYEES

AN ACT TO AMEND CHAPTER 199, VOLUME 22, LAWS OF DELAWARE, ENTITLED, "AN ACT TO INCORPORATE THE TOWN OF LEWES", BY PROVIDING FOR PENSIONS FOR AGED EMPLOYEES OF COMMISSIONERS OF LEWES AND OF THE BOARD OF PUBLIC WORKS FOR SAID TOWN OF LEWES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members of each House thereof concurring therein):

Section 1. That Commissioners of Lewes and the Board of Public Works of Lewes shall be, and they are hereby, hereafter required to provide pensions payable monthly to all former employees of either body, the said pensions to be governed by the terms and conditions specified in the succeeding sections of this act.

Section 2. Any person who has been an employee of Commissioners of Lewes or Board of Public Works of Lewes, or both, continuously for twenty years or more, and who is for any reason whatsoever no longer occupying the status of an employee, shall be eligible for a pension. The pension shall, however, not be paid to anybody who has not yet attained his or her sixty-fifth birthday, unless such person is permanently disabled and has been compelled to retire from such employment prior to attaining the age of sixty-five. Such disabled persons will be eligible for the pension even though they are not yet 65 years of age. A person shall be considered an employee of the Board of Public Works or Commissioners of Lewes so long as she or he is being paid at least Twenty-five Dollars (\$25.00) each month. In the event that reasons of health temporarily prevent such employment, upon furnishing satisfactory proof of that fact to Commissioners of Lewes or the Board of Public Works as the case may be, the period of such disability shall be ignored and not regarded for any of the purposes of this act as a breach in the term of continuous employment.

LEWES

PROVIDING FOR PENSIONS FOR AGED EMPLOYEES

Section 3. The amount of the pension provided by this act shall be determined by selecting the five years out of the last ten years next preceding retirement in which the earnings were the greatest and averaging the annual earnings for those particular five years. The amount of the pension hereby provided shall be one per cent (1%) of that sum for each year of continuous service rendered by the employee, provided, however, that credit shall never be given under this pension plan for more than thirty (30) years.

Section 4. If at any time in the future municipal employees shall come under the Social Security and Unemployment Compensation Laws of the United States of America or the State of Delaware, and payments of Social Security or Unemployment Compensation shall be made to the persons eligible for the pension herein provided for, then the pension hereby provided shall be reduced by the amount of such payments, and if the Social Security or Unemployment Compensation payments for any period total an amount equal to or greater than the pension herein provided for, there shall for that period be no pension allowed.

Section 5. In the event of the death of the person entitled to receive a pension under this act, one-half of the amount of the pension shall thereafter be paid to the surviving widow of that person, provided that the said widow was married to the pensioner five years or more prior to his retirement from employment by Commissioners of Lewes or the Board of Public Works.

Section 6. Whenever any employee of the Board of Public Works or of Commissioners of Lewes reaches the age of 65 years, the municipality may elect to continue him or her in employment, in which case the pension will not start until retirement or disability. On the other hand, at or after the age of 65 years, the Board of Public Works or Commissioners of Lewes as the case may be, reserves the right to request retirement, and retirement upon such request shall be compulsory.

LEWES

PROVIDING FOR PENSIONS FOR AGED EMPLOYEES

Section 7. If at the time any employee becomes eligible for a pension as herein provided, or while such employee is receiving a pension, such former employee should earn from any other source whatsoever the sum of more than \$24.99 a month there shall be no pension under this act so long as those earnings continue. The pension, however, shall begin, or begin again, as the case may be, whenever there are no other earnings from outside sources such as to bar a pension as herein suggested. Payments of compensation under the Workmen's Compensation Laws of the State of Delaware shall be ignored in determining pension rights under this Act and shall not bar or interfere with any pension payments as herein provided.

Approved April 7, 1947.

CHAPTER 218

WILMINGTON

AN ACT TO FURTHER AMEND AN ACT ENTITLED "AN ACT PROVIDING FOR APPROPRIATIONS OF CERTAIN MONEYS TO THE SINKING FUND FOR THE PURPOSE OF RETIRING ALL BONDS ISSUED IN THE NAME OF AND BY AUTHORITY OF 'THE MAYOR AND COUNCIL OF WILMINGTON'," THE SAME BEING CHAPTER 178, VOLUME 40, LAWS OF DELAWARE, 1935, AS AMENDED BY CHAPTER 169, VOLUME 41, LAWS OF DELAWARE, 1937, BY CHANGING THE PERIOD OF MATURITY OF ALL BONDS HEREAFTER ISSUED BY "THE MAYOR AND COUNCIL OF WILMINGTON".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each House concurring therein):

Section 1. That Section 2 of Chapter 178, Volume 40, Laws of Delaware, 1935, as amended by Section 2 of Chapter 169, Volume 41, Laws of Delaware, 1937, be and the same is hereby further amended by striking out all of sub-paragraph (h) of said Section and by inserting and enacting in lieu thereof a new sub-paragraph (h) of said Section 2 as follows:

(h) All bonds which may be issued by "The Mayor and Council of Wilmington" after the date of the passage and approval of this amendatory act, shall mature in equal annual installments within a period of not greater than twenty-five years from the date of issuance thereof; provided, however, that with respect to any bonds so issued after the date of the passage and approval of this amendatory act, the appropriations set forth and required by Section 1 of Chapter 169, Volume 41, Laws of Delaware, shall be increased in any given year to the extent to which this may be necessary to carry out the provisions of this sub-paragraph; provided, further, that nothing herein contained shall be construed to prevent the issue of bonds by "The Mayor

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and Council of Wilmington" to mature in equal annual installments within a period of less than twenty-five years, or to prevent a provision for the redemption of bonds prior to the date of maturity.

Approved April 7, 1947.

CHAPTER 219

WILMINGTON

AN ACT TO AMEND CHAPTER 209, VOLUME 19, LAWS OF DELAWARE, ENTITLED "AN ACT PERTAINING TO A SYSTEM OF SEWERS FOR THE CITY OF WILMINGTON" AS AMENDED BY CHAPTER 28, VOLUME 31, LAWS OF DELAWARE BY CHANGING THE METHOD OF ASSESSMENT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected thereto concurring therein):

Section 1. That Section 3 of Chapter 209 of Volume 19, of the Laws of Delaware, as amended by Chapter 28, Volume 31, Laws of Delaware, be and the same is hereby amended by striking out all of said Section 3 and inserting in lieu thereof the following:

SEC. 3. All assessments shall be made upon the properties abutting upon that portion of any street or highway, lane or alley in which any public sewer may be constructed under this provision, at such rate for each front foot of such property upon such street, highway, lane or alley, and at such rate for each square foot of such property between such street, highway, lane or alley and a line not exceeding two hundred (200) feet distant from and parallel with the line of such street, highway, lane or alley, as the said Board of Directors of the Street and Sewer Department, or its successors shall determine; provided, that when any property is situated at the corner of two streets or highways, or otherwise so situated as to be assessed for the expenses of building a sewer on one of such streets or highways, only the front of such property, together with the area, shall be liable for such assessment, and the whole assessment shall be made on the completion of any portion of a sewer, either in front or on the side of such property, so as to make the said property accessible to such sewer; and provided further, that the said Board of Directors of the Street and Sewer Department shall determine, in all cases, what portion of a property shall be

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considered as side frontage, unless said property has been divided into building lots and a plot thereof filed in the city engineering and surveying department, or published, or both, then in such case the side frontage shall be determined by such plan; provided further, however, that should the owner or owners of such corner property decide, after the above assessments are made or paid, to make the side of such property, as determined by the said Board, the frontage of such property, then in such case the owner or owners of such corner property shall pay such additional sum of money as the said Board of Directors may determine upon, in accordance with the provisions of the aforesaid Act; and provided also, that no property or portion of property shall be assessed for the construction of any sewer, unless such property or some portion thereof shall abut and be bounded upon the street on which said sewer shall have been constructed, or unless such property or portion thereof has a right of access to said street or highway by a private alley, or desires to use said sewer before a sewer is constructed upon the street or highway upon which said property abuts, in which case the said property shall be liable for the same assessment as though the sewer was constructed in the streets or highways upon which said property abuts, and the said property shall not be liable for any further assessment for sewer purposes.

Approved April 7, 1947.

CHAPTER 220

SELBYVILLE

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF SELBYVILLE" BEING CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, BY INCREASING THE AMOUNT OF SALARY THAT MAY BE PAID PER ANNUM, TO THE MAYOR, CLERK AND TREASURER OF "THE MAYOR AND COUNCIL OF THE TOWN OF SELBYVILLE."

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring therein):

Section 1. That Section 7 of an Act entitled "An Act to Reincorporate the Town of Selbyville" being Chapter 166, Volume 37, Laws of Delaware, as amended, be and the same is hereby amended by striking out the word "fifty" as it appears in the fifth line from the bottom of said Section 7 and inserting in lieu thereof the words "two hundred".

Section 2. That Section 13 of an Act entitled "An Act to Reincorporate the Town of Selbyville" being Chapter 166, Volume 37, Laws of Delaware, as amended, be and the same is hereby amended by striking out all of said Section 13 and inserting in lieu thereof a new Section 13 as follows:

Section 13. The said The Mayor and Council of the Town of Selbyville shall appoint a town clerk whose duties shall be to keep an accurate record of all the transactions of the said The Mayor and Council of the Town of Selbyville and shall perform such other duties as the said The Mayor and Council of the Town of Selbyville may require of him. The said town clerk may be a member of the Council or any other qualified citizen of the town of Selbyville, and shall be paid for his services such sum as the said The Mayor and Council of the Town of Selbyville may fix, provided that said compensation shall not exceed the sum of Fifty Dollars (\$50.00) per annum; and provided

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further, that if said Town Clerk is chosen from among the members of the said The Mayor and Council of the Town of Selbyville, he shall not receive the monthly compensation of One Dollar, herein provided to be paid to the members of the Council, in addition to the compensation to be paid him for his services at Clerk.

The Treasurer of the said The Mayor and Council of the Town of Selbyville also shall receive for his services as treasurer such sum as may be determined upon by the said The Mayor and Council of the Town of Selbyville, provided that the compensation to be paid the said treasurer shall not exceed the sum of Fifty Dollars (\$50.00).

Approved April 7, 1947.

CHAPTER 221

LAUREL

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT TO REINCORPORATE THE TOWN OF LAUREL", BEING CHAPTER 164, VOLUME 29, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 168, VOLUME 43, LAWS OF DELAWARE, BY AUTHORIZING THE MAYOR AND COUNCIL OF LAUREL TO RAISE BY TAXATION A SUM NOT IN EXCESS OF THIRTY-FOUR THOUSAND DOLLARS FOR GENERAL EXPENSES AND AN ADDITIONAL ONE THOUSAND DOLLARS FOR THE FIRE DEPARTMENT; AUTHORIZING THE MAYOR AND COUNCIL OF LAUREL WITH THE CONSENT OF THE FIRE DEPARTMENT TO APPLY THE ADDITIONAL SUM OF ONE THOUSAND DOLLARS TO THE REDEMPTION OF MUNICIPAL BONDS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House concurring therein):

Section 1. That the Act entitled, "An Act to reincorporate the Town of Laurel", being Chapter 164, Volume 29, Laws of Delaware, as amended by Chapter 168, Volume 43, Laws of Delaware, be and the same is hereby amended by striking out all of paragraph twenty-two (22) of Section 6 of said Chapter and by inserting in lieu thereof the following:

(22) To make general assessments of property not exempt from taxation for public purposes in said Town and assess and collect taxes, licenses, poll taxes and fines for municipal uses and purposes, provided, that in no year shall the said "Mayor and Council of Laurel" raise a sum by taxation in excess of Thirty-four Thousand Dollars (\$34,000.00), for the general expenses of the said Town of Laurel, and an additional sum not to exceed the sum of One Thousand Dollars (\$1,000.00), the same to be appropriated and paid over to the Fire Department of said

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Town of Laurel, for the purpose of keeping the equipment of said Fire Department in proper repair and efficiency and adding to the same from time to time as necessity may arise; provided, however, "The Mayor and Council of Laurel", may with the consent of the Fire Department of the Town of Laurel apply said additional sum raised by taxation and authorized to be paid over to the fire company of the Town of Laurel for the redemption of municipal bonds of said Town.

Approved April 7, 1947.

CHAPTER 222

ALCOHOLIC LIQUOR, WINES AND BEER

PUBLICATION OF NOTICE OF INTENT TO APPLY FOR LICENSE

AN ACT TO AMEND CHAPTER 176 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "ALCOHOLIC LIQUOR, WINES AND BEER", WITH REFERENCE TO THE PUBLICATION OF NOTICE OF INTENTION TO APPLY FOR LICENSE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 176 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of sub-paragraph (2A) of 6147. Sec. 18. thereof and by substituting and enacting in lieu of the part so stricken out a new sub-paragraph (2A) as follows:

(2A) The application must be accompanied by certificates of the publishers of two newspapers (if so many there be) published in the county in which the license is to operate, from which certificates it shall appear that the applicant has caused to be published in said newspapers at least three times within the period of fifteen days immediately preceding the filing of said application with the Commission, a notice setting forth the intention of applicant to make such application, the nature of the license to be applied for, and the premises to which said license is to apply. One of said notices must appear in a newspaper published at the place in the county nearest to the location of the premises to which said license is to apply; provided, however, if the nearest paper published in an adjoining County to the place where the license applied for is to operate is nearer to such place than any other paper published in the County where such place is located, then, in such event the notice of application required to be published in two papers of the County

ALCOHOLIC LIQUOR, WINES AND BEER

PUBLICATION OF NOTICE OF INTENT TO APPLY FOR LICENSE

where the premises are located shall also be published in such nearest newspaper in the adjoining County and all the provisions of sub-paragraph (2A) hereof as to certificate, etc., shall fully apply to such third publication. The provisions of this sub-paragraph (2A) shall not apply to applications for licenses to sell "alcoholic liquor" at "gatherings of persons".

Approved April 7, 1947.

CHAPTER 223

APPROPRIATION

WOODS HAVEN SCHOOL FOR GIRLS

AN ACT APPROPRIATING MONEY TO THE WOODS HAVEN SCHOOL FOR GIRLS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all members elected to each House concurring therein):

Section 1. That the sum of One Hundred Thousand Dollars (\$100,000.00), be and the same is hereby appropriated to the Woods Haven School for Girls for the maintenance and training of girls committed thereto, and for salaries, wages and for operations.

The said sum shall be paid to said School in two annual payments of Fifty Thousand Dollars (\$50,000.00), for the year ending June 30, 1948 and Fifty Thousand Dollars (\$50,000.00), for the year ending June 30, 1949.

| | Year Ending June 30 | |
|--------------------------------|---------------------|-------------|
| | 1948 | 1949 |
| Salaries and Wages | \$22,276.00 | \$22,276.00 |
| Office Expense | 800.00 | 800.00 |
| Travel | 1,200.00 | 1,200.00 |
| Operations | 17,900.00 | 17,900.00 |
| Repairs and Replacements | 7,624.00 | 7,624.00 |
| Equipment | 200.00 | 200.00 |
| | <hr/> | <hr/> |
| | \$50,000.00 | \$50,000.00 |

Section 2. That this Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Funds of the State Treasury not otherwise appropriated.

Approved April 8, 1947.

CHAPTER 224

APPROPRIATION

WOODS HAVEN SCHOOL FOR GIRLS

AN ACT MAKING A DEFICIENCY APPROPRIATION FOR THE WOODS HAVEN SCHOOL FOR GIRLS.

WHEREAS, the Woods Haven School for Girls is the only school in the State for the care and training of white delinquent girls; and

WHEREAS, there has been an increase in cost of food, clothing and heat, which could not have been foreseen at the time the budget for the present biennium was prepared and submitted; and

WHEREAS, because of this increase the funds for such purposes will not be sufficient to carry the school through the present fiscal year, now, therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all members elected to each House thereof concurring therein):

Section 1. That in addition to any other monies appropriated to the Woods Haven School for Girls for the fiscal year ending June 30, 1947, there is hereby appropriated to the said Woods Haven School for Girls the stated sum of Four Thousand Dollars (\$4,000.00) as a deficiency and emergency appropriation for general use of the said school in carrying out its work and duties in respect to its care and training of delinquent white girls of the State.

That the said sum shall be paid and made available to the said Woods Haven School for Girls on approval of this Act.

Section 2. This Act shall be known as a Supplementary Appropriation Act, and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 8, 1947.

CHAPTER 225

WOODS HAVEN SCHOOL FOR GIRLS

FIXING AMOUNTS TO BE PAID BY LEVY COURTS

AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "LEVY COURTS", BY FIXING THE AMOUNTS TO BE PAID TO WOODS HAVEN SCHOOL FOR GIRLS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 43 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out all of 1165. Sec. 19. thereof and inserting and enacting in lieu thereof the part so stricken out a new 1165. Sec. 19., as follows:

1165. Sec. 19. **Woods Haven School for Girls; Appropriations for:**—The Levy Courts of New Castle, Kent and Sussex Counties are authorized and directed to pay to Woods Haven School for Girls, on the first day of each month, the sum of One Dollar (\$1.00) per day for the maintenance and instruction of each person in said school committed to the custody of said corporation from the respective counties by any court, judge or justice of the peace, in the three counties of the State, upon receiving from the superintendent and treasurer of the corporation a certificate of the number of persons so committed, who were in the said school during the preceding month, and the number of days the persons so committed were in said school during the preceding month.

The respective Levy Courts are hereby authorized and directed to pay to the said Woods Haven School for Girls the sum of 50c per day for each person on parole from said school, and committed to said school by the courts, judges and justices of the peace, as aforesaid. The superintendent and treasurer of the corporation shall certify to the respective Levy Courts prior

WOODS HAVEN SCHOOL FOR GIRLS

FIXING AMOUNTS TO BE PAID BY LEVY COURTS

to the first day of every month the number of persons committed to the said school as aforesaid from the respective counties, who were on parole during the preceding month, and the number of days each such person was on parole during the preceding month.

Approved April 8, 1947.

CHAPTER 226

STATE BOARD OF WELFARE

LIMITING AMOUNT OF ASSISTANCE PAID TO DEPENDENT CHILDREN

AN ACT TO AMEND CHAPTER 39 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO AMOUNT OF ASSISTANCE PAID TO DEPENDENT CHILDREN BY THE STATE BOARD OF WELFARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 39 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by striking out and repealing all of 1107. Section 4, as the same appears in Chapter 95, Volume 41, Laws of Delaware, 1937, and inserting in lieu thereof a new Section to be known as 1107. Section 4.

1107. Sec. 4. **Amount of Assistance:**—The amount of assistance or supplementary services granted for any dependent child shall be determined by the State Department with due regard to the resources and necessary expenditures of the family and the conditions existing in each case and in accordance with the rules and regulations made by the State Department, and shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health. In no event, however, shall the total amount paid to the mother or guardian of or other persons standing in loco parentis to such dependent child, for any calendar month, exceed Fifty Dollars (\$50.00) for the first dependent and only child, and, if there is more than one dependent child in the same home or in the same family, the total amount paid shall not exceed Forty-Five Dollars (\$45.00) for any calendar month for the first such dependent child, and Twenty Dollars (\$20.00) for any calendar month for the second such dependent child, and Fifteen Dollars (\$15.00) for any calendar month for the third such dependent child, and Fifteen

STATE BOARD OF WELFARE

LIMITING AMOUNT OF ASSISTANCE PAID TO DEPENDENT CHILDREN

Dollars (\$15.00) for any calendar month for the fourth such dependent child, and Fifteen Dollars (\$15.00) for any calendar month for the fifth such dependent child, and Twelve Dollars (\$12.00) for any calendar month for each additional child; provided, that in no event shall the total amount paid for aid to Dependent Children in the same home or in the same family exceed One Hundred and Fifty Dollars (\$150.00) for any calendar month.

Approved April 8, 1947.

CHAPTER 227

PROHIBITING WELFARE AGENCIES FROM EXPENDING
MONEY EXCEPT AS APPROPRIATED BY
THE GENERAL ASSEMBLY

AN ACT RELATING TO STATE WELFARE AGENCIES BY
PROVIDING THAT SUCH AGENCIES SHALL NOT EX-
PEND ANY STATE MONIES EXCEPT SUCH MONIES
AS HAVE BEEN APPROPRIATED BY THE GENERAL
ASSEMBLY.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That no State Welfare Agency shall expend any State monies except such monies as have been appropriated by the General Assembly, nor shall such agencies contract any indebtedness beyond the monies so appropriated pledging the credit of the State of Delaware.

Approved April 8, 1947.

CHAPTER 228

DELAWARE COMMISSION FOR THE FEEBLE MINDED

CHANGING MEMBERSHIP OF COMMISSION

AN ACT TO AMEND CHAPTER 70 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO THE MEMBERS OF THE DELAWARE COMMISSION FOR THE FEEBLE MINDED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Article 12 of Chapter 70 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out and repealing all of 2604. Sec. 106., and inserting in lieu thereof a new section to be known as 2604. Sec. 106., as follows:

2604. Sec. 106. Commission Appointed by Governor; of Whom Composed; Term of Office; Vacancies How Filled; Compensation of Members; Allowance of Actual Expenses:—The Governor shall appoint a Commission to be known as Delaware Commission for the Feeble Minded, consisting of nine (9) persons. Not more than two of said persons shall be physicians and not more than two of said persons shall be attorneys-at-law. Two of the members of said Commission shall be selected from each County of the State, and three at large. In appointing said Commission, the Governor shall divide the members thereof as nearly as practicable between the two chief political parties. Of the persons appointed by the Governor upon the expiration of the term of office of the present commission, three of said persons shall be appointed for a term of two years, three others for a term of four years and the remaining three for a term of six years. All appointments thereafter made shall be for a term of six years, except that all vacancies occurring shall be filled by the Governor for the unexpired term.

Section 2. This Act shall become effective upon the expiration of the term of office of the present members of Delaware Commission for the Feeble Minded.

Approved April 8, 1947.

CHAPTER 229

UNIFORM PARTNERSHIP ACT

AN ACT TO AMEND CHAPTER 80 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATIVE TO PARTNERSHIPS BY PROVIDING FOR THE UNIFORM PARTNERSHIP ACT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Sections 3398. Sec. 10. to 3406. Sec. 18., inclusive, of Articles 2, 3 and 4, of Chapter 80 of the Revised Code of Delaware, 1935, be and the same hereby are amended by striking out 3398. Sec. 10. to 3406. Sec. 18., inclusive, being Articles 2, 3 and 4 of Chapter 80, and inserting in lieu thereof new Sections to be known as 3398. Sec. 10. to 3406. Sec. 18., as follows:

PARTNERSHIPS—ARTICLE 2

3398. Sec. 10. **How Cited:**—This Act may be cited as Uniform Partnership Act.

3399. Sec. 11. **Definition of Terms:**—In this Act, "Court" includes every court and judge having jurisdiction in the case.

"Business" includes every trade, occupation, or profession.

"Person" includes individuals, partnerships, corporations, and other associations.

"Bankrupt" includes bankrupt under the Federal Bankruptcy Act or insolvent under any State insolvent act.

"Conveyance" includes every assignment, lease, mortgage, or encumbrance.

"Real property" includes land and any interest or estate in land.

3400. Sec. 12. **Interpretation of Knowledge and Notice:**—

(1) A person has "knowledge" of a fact within the meaning of this Act not only when he has actual knowledge thereof, but also when he has knowledge of such other facts as in the circumstances shows bad faith.

UNIFORM PARTNERSHIP ACT

(2) A person has "notice" of a fact within the meaning of this Act when the person who claims the benefit of the notice:

- (a) States the fact to such person, or
- (b) Delivers through the mail, or by other means of communication, a written statement of the fact to such person or to a proper person at his place of business or residence.

3401. Sec. 13. Rules of Construction:—

(1) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this Act.

(2) The law of estoppel shall apply under this Act.

(3) The law of agency shall apply under this Act.

(4) This Act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

(5) This Act shall not be construed so as to impair the obligations of any contract existing when the Act goes into effect, nor to affect any action or proceedings begun or right accrued before this Act takes effect.

3402. Sec. 14. Rules for Cases Not Provided for in this Act:—In any case not provided for in this Act the rules of law and equity, including the law merchant, shall govern.

PARTNERSHIPS—ARTICLE 3

3403. Sec. 15. Partnership Defined:—(1) A partnership is an association of two or more persons to carry on as co-owners a business for profit.

(2) But any association formed under any other statute of this State, or any statute adopted by authority, other than the authority of this State, is not a partnership under this Act, unless such association would have been a partnership in this State prior to the adoption of this Act; but this Act shall apply to limited partnerships except in so far as the statutes relating to such partnerships are inconsistent herewith.

UNIFORM PARTNERSHIP ACT

3404. Sec. 16. Rules for Determining the Existence of a Partnership:—In determining whether a partnership exists, these rules shall apply:

(1) Except as provided by 3406G. Sec. 18G. persons who are not partners as to each other are not partners as to third persons.

(2) Joint tenancy, tenancy in common, tenancy by the entireties, joint property, common property, or part ownership does not of itself establish a partnership, whether such co-owners do or do not share any profits made by the use of the property.

(3) The sharing of gross returns does not of itself establish a partnership, whether or not the persons sharing them have a joint or common right or interest in any property from which the returns are derived.

(4) The receipt by a person of a share of the profits of a business is prima facie evidence that he is a partner in the business, but no such inference shall be drawn if such profits were received in payment:

(a) As a debt by installments or otherwise,

(b) As wages of an employee or rent to a landlord,

(c) As an annuity to a widow or representative of a deceased partner,

(d) As interest on a loan, though the amount of payment vary with the profits of the business,

(e) As the consideration for the sale of a good-will of a business or other property by installments or otherwise.

3405. Sec. 17. Partnership Property:—(1) All property originally brought into the partnership stock or subsequently acquired by purchase or otherwise, on account of the partnership, is partnership property.

(2) Unless the contrary intention appears, property acquired with partnership funds is partnership property.

UNIFORM PARTNERSHIP ACT

(3) Any estate in real property may be acquired in the partnership name. Title so acquired can be conveyed only in the partnership name.

(4) A conveyance to a partnership in the partnership name, though without words of inheritance, passes the entire estate of the grantor unless a contrary intent appears.

PARTNERSHIPS—ARTICLE 4

RELATIONS OF PARTNERS TO PERSONS DEALING
WITH THE PARTNERSHIP

3406. Sec. 18. **Partner Agent of Partnership as to Partnership Business:**—(1) Every partner is an agent of the partnership for the purpose of its business, and the act of every partner, including the execution in the partnership name of any instrument, for apparently carrying on in the usual way the business of the partnership of which he is a member binds the partnership, unless the partner so acting has in fact no authority to act for the partnership in the particular matter, and the person with whom he is dealing has knowledge of the fact that he has no such authority.

(2) An act of a partner which is not apparently for the carrying on of the business of the partnership in the usual way does not bind the partnership unless authorized by the other partners.

(3) Unless authorized by the other partners or unless they have abandoned the business, one or more but less than all the partners have no authority to:

(a) Assign the partnership property in trust for creditors or on the assignee's promise to pay the debts of the partnership,

(b) Dispose of the good-will of the business,

(c) Do any other act which would make it impossible to carry on the ordinary business of a partnership,

(d) Confess a judgment,

UNIFORM PARTNERSHIP ACT

(e) Submit a partnership claim or liability to arbitration or reference.

(4) No act of a partner in contravention of a restriction on authority shall bind the partnership to persons having knowledge of the restriction.

3406A. Sec. 18A. Conveyance of Real Property of the Partnership:—(1) Where title to real property is in the partnership name, any partner may convey title to such property by a conveyance executed in the partnership name; but the partnership may recover such property unless the partner's act binds the partnership under the provisions of paragraph (1) of 3406. Sec. 18., or unless such property has been conveyed by the grantee or a person claiming through such grantee to a holder for value without knowledge that the partner, in making the conveyance, has exceeded his authority.

(2) Where title to real property is in the name of the partnership, a conveyance executed by a partner, in his own name, passes the equitable interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of 3406. Sec. 18.

(3) Where title to real property is in the name of one or more but not all the partners, and the record does not disclose the right of the partnership, the partners in whose name the title stands may convey title to such property, but the partnership may recover such property if the partners' act does not bind the partnership under the provisions of paragraph (1) of 3406. Sec. 18., unless the purchaser or his assignee, is a holder for value, without knowledge.

(4) Where the title to real property is in the name of one or more or all the partners, or in a third person in trust for the partnership, a conveyance executed by a partner in the partnership name, or in his own name, passes the equitable interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of 3406. Sec. 18.

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(5) Where the title to real property is in the names of all the partners a conveyance executed by all the partners passes all their rights in such property.

3406B. Sec. 18B. Partnership Bound by Admission of Partner:—An admission or representation made by any partner concerning partnership affairs within the scope of his authority as conferred by this Act is evidence against the partnership.

3406C. Sec. 18C. Partnership Charged with Knowledge of or Notice to Partner:—Notice to any partner of any matter relating to partnership affairs, and the knowledge of the partner acting in the particular matter, acquired while a partner or then present to his mind, and the knowledge of any other partner who reasonably could and should have communicated it to the acting partner, operate as notice to or knowledge of the partnership, except in the case of a fraud on the partnership committed by or with the consent of that partner.

3406D. Sec. 18D. Partnership Bound by Partner's Wrongful Act:—Where, by any wrongful act or omission of any partner acting in the ordinary course of the business of the partnership or with the authority of his co-partners, loss or injury is caused to any person, not being a partner in the partnership, or any penalty is incurred, the partnership is liable therefor to the same extent as the partner so acting or omitting to act.

3406E. Sec. 18E. Partnership Bound by Partner's Breach of Trust:—The partnership is bound to make good the loss:

(a) Where one partner acting within the scope of his apparent authority receives money or property of a third person and misapplies it; and

(b) Where the partnership in the course of its business receives money or property of a third person and the money or property so received is misapplied by any partner while it is in the custody of the partnership.

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3406F. Sec. 18F. Nature of Partner's Liability:—All partners are liable:

(a) Jointly and severally for everything chargeable to the partnership under 3406D. Sec. 18D. and 3406E. Sec. 18E.

(b) Jointly for all other debts and obligations of the partnership; but any partner may enter into a separate obligation to perform a partnership contract.

3406G. Sec. 18G. Partner by Estoppel:—(1) when a person, by words spoken or written or by conduct, represents himself, or consents to another representing him to any one, as a partner in an existing partnership or with one or more persons not actual partners, he is liable to any such person to whom such representation has been made, who has, on the faith of such representation, given credit to the actual or apparent partnership, and if he has made such representation or consented to its being made in a public manner he is liable to such person, whether the representation has or has not been made or communicated to such person so giving credit by or with the knowledge of the apparent partner making the representation or consenting to its being made.

(a) When a partnership liability results, he is liable as though he were an actual member of the partnership.

(b) When no partnership liability results, he is liable jointly with the other persons, if any, so consenting to the contract or representation as to incur liability, otherwise separately.

(2) When a person has been thus represented to be a partner in an existing partnership, or with one or more persons not actual partners, he is an agent of the persons consenting to such representation to bind them to the same extent and in the same manner as though he were a partner in fact, with respect to persons who rely upon the representation. Where all the members of the existing partnership consent to the representation, a partnership act or obligation results; but in all other cases it is the joint act or obligation of the person acting and the persons consenting to the representation.

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3406H. Sec. 18H. Liability of Incoming Partner:—A person admitted as a partner into an existing partnership is liable for all the obligations of the partnership arising before his admission as though he had been a partner when such obligations were incurred, except that this liability shall be satisfied only out of partnership property.

PARTNERSHIPS—ARTICLE 5

RELATIONS OF PARTNERS TO ONE ANOTHER

3406I. Sec. 18I. Rules Determining Rights and Duties of Partners:—The rights and duties of the partners in relation to the partnership shall be determined, subject to any agreement between them, by the following rules:

(a) Each partner shall be repaid his contributions, whether by way of capital or advances to the partnership property and share equally in the profits and surplus remaining after all liabilities, including those to partners, are satisfied; and must contribute toward the losses, whether of capital or otherwise, sustained by the partnership according to his share in the profits.

(b) The partnership must indemnify every partner in respect of payments made and personal liabilities reasonably incurred by him in the ordinary and proper conduct of its business, or for the preservation of its business or property.

(c) A partner, who in aid of the partnership makes any payment or advance beyond the amount of capital which he agreed to contribute, shall be paid interest from the date of the payment or advance.

(d) A partner shall receive interest on the capital contributed by him only from the date when repayment should be made.

(e) All partners have equal rights in the management and conduct of the partnership business.

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(f) No partner is entitled to remuneration for acting in the partnership business, except that a surviving partner is entitled to reasonable compensation for his services in winding up the partnership affairs.

(g) No person can become a member of a partnership without the consent of all the partners.

(h) Any difference arising as to ordinary matters connected with the partnership business may be decided by a majority of the partners; but no act in contravention of any agreement between the partners may be done rightfully without the consent of all the partners.

3406J. Sec. 18J. Partnership Books:—The partnership books shall be kept, subject to any agreement between the partners, at the principal place of business of the partnership, and every partner shall at all times have access to and may inspect and copy any of them.

3406K. Sec. 18K. Duty of Partners to Render Information:—Partners shall render on demand true and full information of all things affecting the partnership to any partner or the legal representative of any deceased partner or partner under legal disability.

3406L. Sec. 18L. Partner Accountable as a Fiduciary:—
(1) Every partner must account to the partnership for any benefit, and hold as trustee for it any profits derived by him without the consent of the other partners from any transaction connected with the formation, conduct, or liquidation of the partnership or from any use by him of its property.

(2) This section applies also to the representatives of a deceased partner engaged in the liquidation of the affairs of the partnership as the personal representatives of the last surviving partner.

3406M. Sec. 18M. Right to an Account:—Any partner shall have the right to a formal account as to partnership affairs:

(a) If he is wrongfully excluded from the partnership business or possession of its property by his co-partners,

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(b) If the right exists under the terms of any agreement,

(c) As provided by 3406L. Sec. 18L.

(d) Whenever other circumstances render it just and reasonable.

3406N. Sec. 18N. Continuation of Partnership Beyond Fixed Term:—(1) When a partnership for a fixed term or particular undertaking is continued after the termination of such term or particular undertaking without any express agreement, the rights and duties of the partners remain the same as they were at such termination, so far as is consistent with a partnership at will.

(2) A continuation of the business by the partners or such of them as habitually acted therein during the term, without any settlement or liquidation of the partnership affairs, is prima facie evidence of a continuation of the partnership.

PARTNERSHIPS—ARTICLE 6

PROPERTY RIGHTS OF A PARTNER

3406O. Sec. 18O. Extent of Property Rights of a Partner:—The property rights of a partner are (1) his rights in specific partnership property, (2) his interest in the partnership, and (3) his right to participate in the management.

3406P. Sec. 18P. Nature of a Partner's Right in Specific Partnership Property:—

(1) A partner is co-owner with his partners of specific partnership property holding as a tenant in partnership.

(2) The incidents of this tenancy are such that:

(a) A partner, subject to the provisions of this Act and to any agreement between the partners, has an equal right with his partners to possess specific partnership property for partnership purposes; but he has no right to possess such property for any other purpose without the consent of his partners.

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(b) A partner's right in specific partnership property is not assignable except in connection with the assignment of rights of all the partners in the same property.

(c) A partner's right in specific partnership property is not subject to attachment or execution, except on a claim against the partnership. When partnership property is attached for a partnership debt the partners, or any of them, or the representatives of a deceased partner, can not claim any right under the homestead or exemption laws.

(d) On the death of a partner his right in specific partnership property vests in the surviving partner or partners, except where the deceased was the last surviving partner, when his right in such property vests in his legal representative. Such surviving partner or partners, or the legal representative of the last surviving partner, has no right to possess the partnership property for any but a partnership purpose.

(e) A partner's right in specific partnership property is not subject to dower, curtesy, or allowances to widows, heirs, or next of kin.

3406Q. Sec. 18Q. Nature of Partner's Interest in the Partnership:—A partner's interest in the partnership is his share of the profits and surplus, and the same is personal property.

3406R. Sec. 18R. Assignment of Partner's Interest:—(1) A conveyance by a partner of his interest in the partnership does not of itself dissolve the partnership, nor, as against the other partners in the absence of agreement, entitle the assignee, during the continuance of the partnership, to interfere in the management or administration of the partnership business or affairs, or to require any information or account of partnership transactions, or to inspect the partnership books; but it merely entitles the assignee to receive in accordance with his contract the profits to which the assigning partner would otherwise be entitled.

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(2) In case of a dissolution of the partnership, the assignee is entitled to receive his assignor's interest and may require an account from the date only of the last account agreed to by all the partners.

3406S. Sec. 18S. **Partner's Interest Subject to Charging Order:**—(1) On due application to a competent court by any judgment creditor of a partner, the court which entered the judgment, order, or decree, or any other court, may charge the interest of the debtor partner with payment of the unsatisfied amount of such judgment debt with interest thereon; and may then or later appoint a receiver of his share of the profits, and of any other money due or to fall due to him in respect of the partnership, and make all other orders, directions, accounts and inquiries which the debtor partner might have made, or which the circumstances of the case may require.

(2) The interest charged may be redeemed at any time before foreclosure, or in case of a sale being directed by the court may be purchased without thereby causing a dissolution:

(a) With separate property, by any one or more of the partners, or

(b) With partnership property, by any one or more of the partners with the consent of all the partners whose interests are not so charged or sold.

(3) Nothing in this Act shall be held to deprive a partner of his right, if any, under the exemption laws, as regards his interest in the partnership.

PARTNERSHIPS—ARTICLE 7

DISSOLUTION AND WINDING UP

3406T. Sec. 18T. **Dissolution Defined:**—The dissolution of a partnership is the change in the relation of the partners caused by any partner ceasing to be associated in the carrying on as distinguished from the winding up of the business.

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3406U. Sec. 18U. Partnership Not Terminated by Dissolution:—On dissolution the partnership is not terminated, but continues until the winding up of partnership affairs is completed.

3406V. Sec. 18V. Causes of Dissolution:—Dissolution is caused:

(1) Without violation of the agreement between the partners,

(a) By the termination of the definite term or particular undertaking specified in the agreement,

(b) By the express will of any partner when no definite term or particular undertaking is specified,

(c) By the express will of all the partners who have not assigned their interests or suffered them to be charged for their separate debts, either before or after the termination of any specified term or particular undertaking,

(d) By the expulsion of any partner from the business bona fide in accordance with such a power conferred by the agreement between the partners;

(2) In contravention of the agreement between the partners, where the circumstances do not permit a dissolution under any other provision of this section, by the express will of any partner at any time;

(3) By any event which makes it unlawful for the business of the partnership to be carried on or for the members to carry it on in partnership;

(4) By the death of any partner;

(5) By the bankruptcy of any partner or the partnership;

(6) By decree of court under 3406W. Sec. 18W.

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3406W. Sec. 18W. Dissolution by Decree of Court:—(1) On application by or for a partner the court shall decree a dissolution whenever:

(a) A partner has been declared a lunatic in any judicial proceeding or is shown to be of unsound mind,

(b) A partner becomes in any other way incapable of performing his part of the partnership contract,

(c) A partner has been guilty of such conduct as tends to affect prejudicially the carrying on of the business.

(d) A partner wilfully or persistently commits a breach of the partnership agreement, or otherwise so conducts himself in matters relating to the partnership business that it is not reasonably practicable to carry on the business in partnership with him,

(e) The business of the partnership can only be carried on at a loss,

(f) Other circumstances render a dissolution equitable.

(2) On the application of the purchaser of a partner's interest under 3406R. Sec. 18R. and 3406S. Sec. 18S.

(a) After the termination of the specified term or particular undertaking,

(b) At any time if the partnership was a partnership at will when the interest was assigned or when the charging order was issued.

3406X. Sec. 18X. General Effect of Dissolution on Authority of Partner:—Except so far as may be necessary to wind up partnership affairs or to complete transactions begun but not then finished, dissolution terminates all authority of any partner to act for the partnership,

(1) With respect to the partners,

(a) When the dissolution is not by the act, bankruptcy or death of a partner; or

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(b) When the dissolution is by such act, bankruptcy or death of a partner, in cases where 3406Y. Sec. 18Y. so requires.

(2) With respect to persons not partners, as declared in 3406Z. Sec. 18Z.

3406Y. Sec. 18Y. Right of Partner to Contribution from Co-partners After Dissolution:—Where the dissolution is caused by the act, death or bankruptcy of a partner, each partner is liable to his co-partners for his share of any liability created by any partner acting for the partnership as if the partnership had not been dissolved unless:

(a) The dissolution being by act of any partner, the partner acting for the partnership had knowledge of the dissolution, or

(b) The dissolution being by the death or bankruptcy of a partner, the partner acting for the partnership had knowledge or notice of the death or bankruptcy.

3406Z. Sec. 18Z. Power of Partner to Bind Partnership to Third Persons After Dissolution:—(1) After dissolution a partner can bind the partnership except as provided in Paragraph (3):

(a) By any act appropriate for winding up partnership affairs or completing transactions unfinished at dissolutions;

(b) By any transaction which would bind the partnership if dissolution had not taken place, provided the other party to the transaction

(I) Had extended credit to the partnership prior to dissolution and had no knowledge or notice of the dissolution; or

(II) Though he had not so extended credit, had nevertheless known of the partnership prior to dissolution, and, having no knowledge or notice of dissolution, the fact of disso-

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lution had not been advertised in a newspaper of general circulation in the place (or in each place if more than one) at which the partnership business was regularly carried on.

(2) The liability of a partner under Paragraph (1b) shall be satisfied out of partnership assets alone when such partner had been prior to dissolution:

(a) Unknown as a partner to the person with whom the contract is made; and

(b) So far unknown and inactive in partnership affairs that the business reputation of the partnership could not be said to have been in any degree due to his connection with it.

(3) The partnership is in no case bound by any Act of a partner after dissolution:

(a) Where the partnership is dissolved because it is unlawful to carry on the business, unless the act is appropriate for winding up partnership affairs; or

(b) Where the partner has become bankrupt; or

(c) Where the partner has no authority to wind up partnership affairs; except by a transaction with one who:

(I) Had an extended credit to the partnership prior to dissolution and had no knowledge or notice of his want of authority; or

(II) Had not extended credit to the partnership prior to dissolution, and, having no knowledge or notice of his want of authority, the fact of his want of authority has not been advertised in the manner provided for advertising the fact of dissolution in Paragraph (1bII).

(4) Nothing in this section shall affect the liability under 3406G. Sec. 18G. of any person who after dissolution represents himself or consents to another representing him as a partner in a partnership engaged in carrying on business.

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3406AA. Sec. 18AA. Effect of Dissolution on Partner's Existing Liability:—(1) The dissolution of the partnership does not of itself discharge the existing liability of any partner.

(2) A partner is discharged from any existing liability upon dissolution of the partnership by an agreement to that effect between himself, the partnership creditor and the person or partnership continuing the business; and such agreement may be inferred from the course of dealing between the creditor having knowledge of the dissolution and the person or partnership continuing the business.

(3) Where a person agrees to assume the existing obligations of a dissolved partnership, the partners whose obligations have been assumed shall be discharged from any liability to any creditor of the partnership who, knowing of the agreement, consents to a material alteration in the nature or time of payment of such obligations.

(4) The individual property of a deceased partner shall be liable for all obligations of the partnership incurred while he was a partner but subject to the prior payment of his separate debts.

3406BB. Sec. 18BB. Right to Wind Up:—Unless otherwise agreed the partners who have not wrongfully dissolved the partnership or the legal representative of the last surviving partner, not bankrupt, has the right to wind up the partnership affairs; provided, however, that any partner, his legal representative or his assignee, upon cause shown, may obtain winding up by the court.

3406CC. Sec. 18CC. Rights of Partners to Application of Partnership Property:—(1) When dissolution is caused in any way, except in contravention of the partnership agreement, each partner, as against his co-partners and all persons claiming through them in respect of their interests in the partnership, unless otherwise agreed, may have the partnership property applied to discharges its liabilities, and the surplus applied to pay in cash the net amount owing to the respective partners. But if dissolution is caused by expulsion of a partner, bona fide

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under the partnership agreement and if the expelled partner is discharged from all partnership liabilities, either by payment or agreement under 3406AA. Sec. 18AA (2), he shall receive in cash only the net amount due him from the partnership.

(2) When dissolution is caused in contravention of the partnership agreement the rights of the partners shall be as follows:

(a) Each partner who has not caused dissolution wrongfully shall have,

(I) All the rights specified in paragraph (1) of this section, and

(II) The right, as against each partner who has caused the dissolution wrongfully, to damages for breach of the agreement.

(b) The partners who have not caused the dissolution wrongfully, if they all desire to continue the business in the same name, either by themselves or jointly with others, may do so, during the agreed term for the partnership and for that purpose may possess the partnership property, provided they secure the payment by bond approved by the court, or pay to any partner who has caused the dissolution wrongfully, the value of his interest in the partnership at the dissolution, less any damages recoverable under clause (2aII) of this section, and in like manner indemnify him against all present or future partnership liabilities.

(c) A partner who has caused the dissolution wrongfully shall have:

(I) If the business is not continued under the provisions of paragraph (2b) all the rights of a partner under paragraph (1), subject to clause (2aII), of this section,

(II) If the business is continued under paragraph (2b) of this section the right as against his co-partners and all claiming through them in respect of their interests in the partnership, to have the value of his interest in the partner-

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ship, less any damages caused to his co-partners by the dissolution, ascertained and paid to him in cash, or the payment secured by bond approved by the court, and to be released from all existing liabilities of the partnership; but in ascertaining the value of the partner's interest the value of the good-will of the business shall not be considered.

3406DD. Sec. 18DD. Rights Where Partnership is Dissolved for Fraud or Misrepresentation:—Where a partnership contract is rescinded on the ground of the fraud or misrepresentation of one of the parties thereto, the party entitled to rescind is, without prejudice to any other right, entitled,

(a) To a lien on, or right of retention of, the surplus of the partnership property after satisfying the partnership liabilities to third persons for any sum of money paid by him for the purchase of an interest in the partnership and for any capital or advances contributed by him; and

(b) To stand, after all liabilities to third persons have been satisfied, in the place of the creditors of the partnership for any payments made by him in respect of the partnership liabilities; and

(c) To be indemnified by the person guilty of the fraud or making the representation against all debts and liabilities of the partnership.

3406EE. Sec. 18EE. Rules for Distribution:—In settling accounts between the partners after dissolution, the following rules shall be observed, subject to any agreement to the contrary:

(a) The assets of the partnership are;

(I) The partnership property,

(II) The contributions of the partners necessary for the payment of all the liabilities specified in clause (b) of this paragraph.

(b) The liabilities of the partnership shall rank in order of payment, as follows:

(I) Those owing to creditors other than partners,

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(II) Those owing to partners other than for capital and profits.

(III) Those owing to partners in respect of capital.

(IV) Those owing to partners in respect of profits.

(c) The assets shall be applied in the order of their declaration in clause (a) of this paragraph to the satisfaction of the liabilities.

(d) The partners shall contribute, as provided by 3406I. Sec. 18I. (a) the amount necessary to satisfy the liabilities; but if any, but not all, of the partners are insolvent, or, not being subject to process, refuse to contribute, the other partners shall contribute their share of the liabilities, and, in the relative proportions in which they share the profits, the additional amount necessary to pay the liabilities.

(e) An assignee for the benefit of creditors or any person appointed by the court shall have the right to enforce the contributions specified in clause (d) of this paragraph.

(f) Any partner or his legal representative shall have the right to enforce the contributions specified in clause (d) of this paragraph, to the extent of the amount which he has paid in excess of his share of the liability.

(g) The individual property of a deceased partner shall be liable for the contributions specified in clause (d) of this paragraph.

(h) When partnership property and the individual properties of the partners are in possession of a court for distribution, partnership creditors shall have priority on partnership property and separate creditors on individual property, saving the rights of lien or secured creditors as heretofore.

(i) Where a partner has become bankrupt or his estate is insolvent the claims against his separate property shall rank in the following order:

(I) Those owing to separate creditors,

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(II) Those owing to partnership creditors,

(III) Those owing to partners by way of contribution.

3406FF. Sec. 18FF. Liability of Persons Continuing the Business in Certain Cases:—(1) When any new partner is admitted into an existing partnership, or when any partner retires and assigns (or the representative of the deceased partner assigns) his rights in partnership property to two or more the partners, or to one or more of the partners and one or more third persons, if the business is continued without liquidation of the partnership affairs, creditors of the first or dissolved partnership are also creditors of the partnership so continuing the business.

(2) When all but one partner retire and assign (or the representative of a deceased partner assigns) their rights in partnership property to the remaining partner, who continues the business without liquidation of partnership affairs, either alone or with others, creditors of the dissolved partnership are also creditors of the person or partnership so continuing the business.

(3) When any partner retires or dies and the business of the dissolved partnership is continued as set forth in paragraphs (1) and (2) of this section, with the consent of the retired partners or the representative of the deceased partner, but without any assignment of his right in partnership property, rights of creditors of the dissolved partnership and of the creditors of the person or partnership continuing the business shall be as if such assignment had been made.

(4) When all the partners or their representatives assign their rights in partnership property to one or more third persons who promise to pay the debts and who continue the business of the dissolved partnership, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(5) When any partner wrongfully causes a dissolution and the remaining partners continue the business under the provisions of 3406CC. Sec. 18CC. (2B), either alone or with others,

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and without liquidation of the partnership affairs, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(6) When a partner is expelled and the remaining partners continue the business either alone or with others, without liquidation of the partnership affairs, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(7) The liability of a third person becoming a partner in the partnership continuing the business, under this section, to the creditors of the dissolved partnership shall be satisfied out of partnership property only.

(8) When the business of a partnership after dissolution is continued under any conditions set forth in this section the creditors of the dissolved partnership, as against the separate creditors of the retiring or deceased partner or the representative of the deceased partner, have a prior right to any claim of the retired partner or the representative of the deceased partner against the person or partnership continuing the business, on account of the retired or deceased partner's interest in the dissolved partnership or on account of any consideration promised for such interest or for his right in partnership property.

(9) Nothing in this section shall be held to modify any right of creditors to set aside any assignment on the ground of fraud.

(10) The use by the person or partnership continuing the business of the partnership name, or the name of a deceased partner as part thereof, shall not of itself make the individual property of the deceased partner liable for any debts contracted by such person or partnership.

3406GG. Sec. 18GG. Rights of Retiring or Estate of Deceased Partner When the Business is Continued:—When any partner retires or dies, and the business is continued under any of the conditions set forth in 3406FF. Sec. 18FF. (1, 2, 3, 5, 6), or 3406CC. Sec. 18CC. (2b), without any settlement of accounts

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as between him or his estate and the person or partnership continuing the business, unless otherwise agreed, he or his legal representative as against such persons or partnership may have the value of his interest at the date of dissolution ascertained, and shall receive as an ordinary creditor an amount equal to the value of his interest in the dissolved partnership with interest, or, at his option or at the option of his legal representative, in lieu of interest, the profits attributable to the use of his right in the property of the dissolved partnership; provided that the creditors of the dissolved partnership as against the separate creditors, or the representative of the retired or deceased partner, shall have priority on any claim arising under this section, as provided by 3406FF. Sec. 18FF. (8) of this Act.

3406HH. Sec. 18HH. Accrual of Actions:—The right to an account of his interest shall accrue to any partner, or his legal representative, as against the winding up partners or the surviving partners or the person or partnership continuing the business, at the date of dissolution, in the absence of any agreement to the contrary.

3406II. Sec. 18II. All acts or parts of acts, inconsistent with this act, are hereby repealed.

Approved April 8, 1947.

CHAPTER 230

DIVORCE

PROVIDING FOR FINAL DECREE IN ANNULMENT CASES

AN ACT TO AMEND CHAPTER 86 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "DIVORCE," BY PROVIDING FOR A FINAL DECREE IN ANNULMENT CASES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 86 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 3518. Sec. 22 thereof and inserting in lieu thereof a new section to be styled 3518. Sec. 22. as follows:

3518. Sec. 22. **Decree Nisi for Divorce; When; Costs; Taxing How and When; Attachment for Non-Payment:**—If after the hearing of any cause, the court shall be of opinion that the plaintiff is entitled to a decree for divorce from the bonds of matrimony, a decree nisi shall be entered. The costs in every case, including the fee for the services of an attorney when assigned by the Court, shall be taxed by the Court at the time of granting the decree nisi or dismissing the petition and made payable as the Court shall adjudge; and the Court shall have power to enforce the payment of said costs by attachment process.

Section 2. That Chapter 86 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by inserting after 3519 Section 23 of Chapter 86 a new section to be known as 3519A. Sec. 23A. as follows:

3519A. Sec. 23A. **Decree Absolute for Annulment; When; Costs; Taxing How and When; Attachment for Non-Payment:**—If after the hearing of a cause the Court shall be of the opinion that the plaintiff is entitled to a decree annulling

DIVORCE**PROVIDING FOR FINAL DECREE IN ANNULMENT CASES**

the marriage a final and absolute decree of annulment shall be entered. The costs in every case including the fee for the services of an attorney when assigned by the Court shall be taxed by the Court at the time of granting the final and absolute decree or dismissing the petition and made payable as the Court shall adjudge; and the Court shall have the power to enforce the payment of said costs by attachment process.

Approved April 8, 1947.

CHAPTER 231

PROHIBITING BRIBING AT RACING MEETS
OR ATHLETIC CONTESTS

AN ACT TO AMEND CHAPTER 100 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "GENERAL PROVISIONS RESPECTING THE POLICE", BY MAKING IT UNLAWFUL TO INFLUENCE OR ATTEMPT TO INFLUENCE THE RESULT OR RESULTS OF CERTAIN ATHLETIC CONTESTS OR RACES AT RACING MEETS LICENSED BY THE DELAWARE HARNESS RACING COMMISSION OR BY THE DELAWARE RACING COMMISSION BY CERTAIN MEANS AND PROVIDING PENALTIES FOR VIOLATIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 100 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by inserting in Article 2 of said Chapter immediately after 3898. Sec. 3. thereof a new Section to be designated 3898A. Sec. 3A., as follows:

3898A. Sec. 3A. Unlawfully Influencing the Results of Athletic Contests and Races; Persons Affected; Acts Prohibited; Penalties:—

(a) Any person who shall, directly or indirectly, give or promise to give, any money or valuable thing, as a bribe, present, or reward, to any person taking part or intending to take part, as a professional or amateur participant, in any baseball, football, basketball, boxing match or sporting contest, with intent to induce such person to lose or cause the loss, or attempt to lose or cause the loss, of any such game, match or contest, by such person or by the team or side of such person, shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding Three Thousand Dollars (\$3,000.00), or by imprisonment not exceeding three (3) years, or by both fine and imprisonment in the discretion of the Court.

(b) Any person taking part or expecting to take part, in any baseball, football, basketball, boxing match or sporting

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contest, as a professional or amateur participant, who shall solicit or receive, directly or indirectly, any money or valuable thing, as a bribe, present, or reward, to lose or cause the loss, or to attempt to lose or cause the loss, of such game, match or contest, by such person or by the team or side of such person, shall be guilty of a misdemeanor, and shall be punished upon conviction as provided in paragraph (a) of 3898A. Sec. 3A. hereof.

(c) Any person who shall, directly or indirectly, give or promise to give, any money or valuable thing, as a bribe, present or reward, to any person acting, or intending to act as a referee, umpire, judge, timer, measurer or as an official for any purpose, for any amateur or professional athletic or sporting game, match or contest, with intent to induce such person to act corruptly in making decisions, rulings, interpretations or adjudications or in the performance of his official duties in connection therewith, shall be guilty of a misdemeanor, and shall be punished upon conviction as provided in paragraph (a) of 3898A. Sec. 3A. hereof.

(d) Any person acting or intending to act as a referee, umpire, judge, timer, measurer or as an official for any purpose, for any amateur or professional athletic or sporting game, match or contest, who shall solicit or receive, directly or indirectly, any money or valuable thing, as a bribe, present or reward to act corruptly in making any decision, ruling, interpretation or adjudication, or in any matter in the performance of his official duties in connection therewith, shall be guilty of a misdemeanor, and shall be punished upon conviction as provided in paragraph (a) of 3898A. Sec. 3A. hereof.

(e) It shall be unlawful and a misdemeanor for any person to influence or attempt to influence the result or results of a race or races conducted by a licensee of the Delaware Harness Racing Commission or by the Delaware Racing Commission by any of the following means:

1. To influence or have any understanding or connivance with any owner, jockey, groom or other person associated with or interested in any stable, horse or race in which any horse

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participated or is to participate in order to prearrange or predetermine the result of any such race;

2. To attempt to interfere with or interfere with, tamper with, injure or destroy by the use of any narcotic, drug, stimulant, appliance, or by any other means, any horse that is to participate in a running race or a harness race in the State of Delaware, whether such horse be the property of such person or another;

3. To allow or permit a horse over which such person shall have control to participate in a race with the knowledge of any interference with, any tampering with, any injury to, by any narcotic, drug, stimulant, appliance or by any other means;

4. To cause, instigate, counsel or in any way to aid or abet in any interference with, tampering with, injury to or destruction of, any horse that is to participate in a running or harness race in Delaware by the use of any narcotic, drug, stimulant, appliance or by any other means.

(f) The owners of any horse affected as above outlined in sub-paragraphs 2, 3 and 4 of paragraph (e) shall permit any member of the Racing Commission which issued the license for the meet at which or during which any horse was affected as above outlined, or any person appointed by such Commission for that purpose to make such test as the Commission deems proper in order to determine whether any such horse has been so interfered with, tampered with, injured or destroyed by the use of any narcotic, drug, stimulant, appliance or by any other means.

(g) Any person who shall violate any provision of paragraphs (e) or (f) shall be guilty of a misdemeanor and upon conviction thereof shall be imprisoned for not less than one (1) year and not more than five (5) years, or shall be fined not less than One Thousand Dollars (\$1,000.00), nor more than Five Thousand Dollars (\$5,000.00), or be punished by both such imprisonment and fine in the discretion of the Court.

Approved April 8, 1947.

CHAPTER 232

MOTOR VEHICLES

LIMITATIONS ON PROVISIONS OF OVERTAKING AND PASSING

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, BY PROVIDING FOR LIMITATIONS ON PROVISIONS OF OVERTAKING AND PASSING.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 291, Volume 45, Laws of Delaware, be and the same is hereby further amended by striking out and repealing all of Paragraph (b) of 5630. Sec. 92, and inserting and enacting in lieu thereof the following:

5630. Sec. 92. (b) The driver of a vehicle shall not drive upon the left-hand half of the roadway in overtaking and passing another vehicle proceeding in the same direction when approaching or when upon the crest of a grade, or when approaching or when upon a curve in the roadway where the driver's view is obstructed within such distance as to create a hazard in the event another motor vehicle might approach from the opposite direction. The State Highway Department is hereby authorized to determine those portions of any highway where driving on the left-hand half of the roadway, would be especially hazardous, and may adopt distinctive signs or roadway marking indicating the beginning and ending of such zones, and, when such signs or markings are in place and visible to an ordinarily observant person, every driver of a vehicle shall observe the directions thereof.

Approved April 8, 1947.

CHAPTER 233

STATE HIGHWAY DEPARTMENT

AUTHORIZING IMPROVEMENTS TO AND ON PUBLIC LANDS

AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE STATE HIGHWAY DEPARTMENT BY AUTHORIZING IMPROVEMENT TO AND ON PUBLIC LANDS AND EXPENDITURE OF FUNDS THEREFOR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 166 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by enacting and adding after 5746A. Sec. 27A. thereof a new Section to be styled as 5746B. Sec. 27B., as follows:

5746B. Sec. 27B. That the State Highway Department is hereby authorized to make improvements to and on any Public Lands of the State of Delaware and to expend any sums appropriated therefor thereon.

The State Highway Department is authorized to lease or grant concessions for any such improvements.

All funds collected from such rentals or concessions shall be treated in the same manner as income received from Public Lands as provided in 5746 Sec. 27 of Chapter 166.

Section 2. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency only.

Approved April 8, 1947.

CHAPTER 234

WILMINGTON

AN ACT CONFERRING UPON THE MAYOR AND COUNCIL OF WILMINGTON CERTAIN ADDITIONAL POWERS RELATING TO INCREASING THE SALARIES OF OFFICIALS AND EMPLOYEES OF THE CITY OF WILMINGTON, INCLUDING THE MAYOR AND MEMBERS OF ANY BOARD OR COMMISSION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring therein):

Section 1. Any salary of any appointive or elective City official or employee of the Mayor and Council of Wilmington which has heretofore been fixed by Statute, including the salaries of the Mayor and members of any Board or Commission, may be increased by "The Council" of "The Mayor and Council of Wilmington" by Ordinance or Ordinances, which receive an affirmative vote of two-thirds of all the members elected to "The Council".

Section 2. All Acts or parts of Acts which are inconsistent herewith are hereby repealed.

Approved April 8, 1947.

CHAPTER 235

WILMINGTON

AN ACT TO FURTHER AMEND CHAPTER 67, REVISED CODE OF DELAWARE, 1935, AS AMENDED BY CHAPTER 146, VOLUME 43, LAWS OF DELAWARE, 1941, IN REFERENCE TO THE COMPENSATION OF THE SUPERINTENDENT OF THE PUBLIC BUILDING COMMISSION FOR THE CITY OF WILMINGTON AND FOR NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 67 of the Revised Code of Delaware, 1935, as amended by Chapter 146, Volume 43, Laws of Delaware, 1941, be and the same is hereby further amended by striking out and repealing the last sentence of 2462. Sec. 54. and substituting and enacting in lieu thereof the following:

"The salary of the Superintendent elected by the Commission shall not exceed the sum of Four Thousand Dollars per annum."

Approved April 8, 1947.

CHAPTER 236

WILMINGTON

**AN ACT TO FURTHER EXTEND THE CORPORATE LIMITS
OF THE CITY OF WILMINGTON.**

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch thereof concurring therein):

Section 1. That the boundaries of the City of Wilmington be further extended to include the territory bounded and described as follows, to wit:

Beginning at the intersection of the westerly side of Lincoln St. at 60' wide with the southerly side of Oak St. at 50' wide; thence easterly along the southerly side of Oak St. 209'-6" more or less to a point in the City Line of Wilmington; thence, northerly along the said City Line, crossing the beds of Oak St. and Lincoln St., 265'-2" more or less to a point in the westerly side of Lincoln St.; thence, southerly along the westerly side of Lincoln St. 162'-6" to the point and place of beginning.

Approved April 9, 1947.

CHAPTER 237

WILMINGTON

PROVIDING PENSION BENEFITS TO EMPLOYEES

AN ACT PROVIDING FOR THE PAYMENT OF PENSION BENEFITS TO CERTAIN EMPLOYEES OF THE MAYOR AND COUNCIL OF WILMINGTON, FIXING AGES OF RETIREMENT, ESTABLISHING BENEFITS PAYABLE AND THE SOURCE OF PAYMENT THEREOF, PROVIDING FOR APPLICATIONS FOR PENSIONS AND THE PROCEDURE TO BE FOLLOWED WITH RESPECT THERETO, PROVIDING THAT PENSION BENEFITS SHALL BE FREE OF ATTACHMENT AND LIABILITY FOR STATE AND LOCAL INCOME TAXES AND NON-ASSIGNABLE, AND ALSO PROVIDING FOR THE REDUCTION OF BENEFITS UNDER CERTAIN CONDITIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch concurring therein):

Section 1. This Act shall be known as the "CITY OF WILMINGTON EMPLOYEES' RETIREMENT ACT".

Section 2. Every covered employee of The Mayor and Council of Wilmington within the meaning of this Act, now or hereafter employed, may be retired after such employee shall have served in covered employment for thirty-five years, or on or after attaining the age of sixty years in the case of a female employee, or the age of sixty-five years in the case of a male employee, and shall after retirement during the remainder of his or her life receive the pension fixed by this Act, subject to such qualifications and reservations as are herein contained; provided, that prior to July 1, 1948, any covered employee may continue active work at his option, irrespective of his age, provided he continues mentally and physically fit to properly discharge his duties, but on and after said date a covered employee may continue active work at the option of the department or agency by which he or she is employed up to the age of sixty-five years

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for female employees or seventy years for male employees, at which time retirement shall be mandatory for covered employees. Nothing in this Act contained shall be construed to make mandatory the retirement of any employee who is not in "covered employment" as such term is hereinafter defined.

Section 3. Covered Employee Defined:—An employee shall be considered in "covered employment" within the meaning of this Act while the employee receives a regular salary or wages wholly or in part directly or indirectly from the Treasurer of the City of Wilmington or any department or agency thereof except the Board of Public Education in Wilmington, or from the County Treasurer of New Castle County; provided, however, that an employee shall not be considered in covered employment if he is a part-time or seasonable employee who is not regularly employed for more than 120 working days in any one calendar year, or if his only employment is as a member of the following boards and commissions: Board of Directors of the Street and Sewer Department; Board of Harbor Commissioners; Board of Health; Board of Park Commissioners; Board of Public Utility Commissioners; Board of Water Commissioners; Department of Public Safety; Public Building Commission; Department of Elections; Sinking Fund Commissioners; Zoning Commission.

Section 4. An employee who shall be in covered employment on the date of retirement and who shall have served in covered employment for at least fifteen years during the period that ends on the date of retirement, and who has served in covered employment for at least five years immediately preceding the date of retirement, and whose service includes no interruption from continuous covered employment, except allowable interruptions aggregating not more than five years, shall be considered eligible for retirement benefits within the meaning of this Act, except as otherwise provided. Allowable interruptions from continuous covered employment shall be interruptions arising from (a) leaves of absence granted to employees; or (b) for entering the Armed Services of the United States of America in time of war; or (c) involuntary severance

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of employment not due to any fault or neglect on the part of such employee; or (d) voluntary severance of employment for a period not to exceed one year; but the employee shall not be considered in covered employment during any period of such interruption. The usual vacation allowed any employee of any department or agency shall not be considered an interruption from continuous employment.

Section 5. Pension Benefits:—Any pension payable under this Act shall be subject to the limitation that the monthly pension payment shall not exceed One Hundred and Fifty Dollars (\$150.00) nor be less than Fifty Dollars (\$50.00). The monthly pension payment shall be one-seventieth of the monthly retiring base pay multiplied by the number of years (a fractional period of six months or more shall be counted as one year and less than six months shall not be counted) which the employee shall have served in covered employment during the period that ends on the date of retirement and includes no interruptions from continuous covered employment except allowable interruptions aggregating not more than five years.

In the case of an employee who shall have been continuously in covered employment during the sixty consecutive months ending on the date of retirement, the "monthly retiring base pay" shall be the regular pay for covered employment paid to the employee by the City of Wilmington, or by the Levy Court of New Castle County, during such sixty months (excluding any pay received for over-time or special work), divided by sixty.

Section 6. Disability Pension:—An employee who shall become disabled while in covered employment and after having served in covered employment for at least twenty-five years during the period that ends on the inception of such disability and that includes no interruptions from continuous covered employment, except allowable interruptions, aggregating not more than five years, so as to be prevented by such disability from performing his or her active duties, may be retired on a disability pension. Such disabled employee shall be kept on the active payroll dur-

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ing the remainder of the calendar month in which such disability shall begin and for the next ensuing three months. At the end of such third calendar month, such disabled employee shall be retired and shall receive a pension calculated in accordance with Section 5 hereof and payable during the subsequent uninterrupted continuance of such disability until the date when such disabled employee would otherwise become eligible for retirement on pension in accordance with Section 2 hereof; provided, however, that in the event the retired employee while so disabled shall engage in any gainful occupation or business, then such disability pension shall be reduced by the excess, if any, of the compensation or profit earned from such occupation or business over one-half of the salary or wages last received by such employee for active service in covered employment. If such disability shall continue until the date when such disabled employee would otherwise become eligible for retirement on pension in accordance with Section 2 hereof, then the disability pension shall cease but such disabled employee shall simultaneously enter upon the pension provided by Section 5 hereof.

The provisions relating to payment of disability pension as provided in the foregoing Section shall not apply if the disabled employee receives compensation equal to or in excess of the benefits provided by this Act pursuant to the provisions of the Delaware Workmen's Compensation Law. If the amount of compensation received pursuant to said Delaware Workmen's Compensation Law by any disabled employee is less than the amount he would receive under the provisions of the foregoing Section then an amount equal to the difference shall be paid to said employee as disability pension.

Decision as to whether such disability exists or continues shall be by majority vote of the Arbitration Commission hereinafter created. The Arbitration Commission shall, at least once a year or oftener, at its discretion, while the disabled employee is receiving disability pension, require such disabled employee to furnish satisfactory proof of the continuance of such disability. Whenever, in the opinion of the Arbitration Commission, it

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shall appear that such employee has recovered to the extent of being able to perform his or her active duties, the Arbitration Commission shall so notify the employee and shall also notify the Department or agency wherein such employee was employed; whereupon the said employee shall be required to resume active service and no further pension payments shall be made under the provisions of this Section for such disability.

The period for which the disability pension shall have been paid shall be considered an allowable interruption which is allowable in addition to the allowable interruptions aggregating not over five years, in determining subsequent eligibility for retirement on pension under Section 2 hereof.

Section 7. Each department or agency of the City of Wilmington that shall come within the provisions of this Act, shall, not less than thirty days prior to the date when the City budget shall be fixed by "The Council" of the Mayor and Council of Wilmington in each year, submit a salary or wage payroll record to include employees eligible for pension and which shall contain the names, addresses and amounts for those employees who are carried on the pension rolls, plus the names and addresses and amounts to be paid employees of such department or agency who might become eligible for retirement during the period covered in such budget, and at the time of the drafting of the City budget "The Council" of The Mayor and Council of Wilmington shall include, in addition to an amount for active employees' salaries or wages, the amounts for those employees who are carried on the pension roll, plus the amount for those employees who might become eligible for retirement during the period covered in such budget. The payment of the pension benefits of this Act shall be made at the same time and by the same proceedings as salaries and wages are paid for active employees except as herein otherwise provided. The name and address of each employee receiving benefits under the provisions of this Act, together with the amount of pension to be received at each payment by each such employee, shall be filed in the office of the City Treasurer.

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Section 8. A covered employee may request retirement with pension in accordance with this Act by making a written request therefor to the President or Chairman or other principal person of the department or agency by which he or she is employed, at least thirty days prior to the date of retirement; or the President or Chairman or other principal person of the department or agency may, with the approval of a majority of the governing board of such department or agency, and in accordance with this Act, retire a covered employee of his or their department or agency by giving written notice to the employee at least thirty days prior to the date of retirement. In either event, the President or Chairman or other principal person of the department or agency shall prepare a statement in such form as may be prescribed by the City Treasurer to enable him to comply with the provisions of this Act; the President, Chairman or other principal person of such department or agency shall, at least fifteen days prior to the date of retirement, give a certified copy of such statement to the City Treasurer; a copy of such statement shall also be given to the employee at least fifteen days prior to the date of retirement.

All records of whatever kind or character received or to be received by the City Treasurer on pension cases shall be kept by him as all other official records of his office are preserved.

Section 9. For the purpose of settling any controversy that may arise out of the administration of this Act, there is hereby created an Arbitration Commission consisting of three persons, not more than two of whom shall be of the same political party, to be appointed by the Mayor, subject to confirmation by "The Council", for a term of four years. The said Commission shall adjudicate such controversy at a time and place to be fixed by said Commission, after due notice in writing has been given to all interested parties at least ten days prior to the date of hearing; the Commission shall have power to administer oaths and to do such acts and make such rules in the premises as such Commission may deem necessary to carry into effect the provisions of this Act. The written concurring decision of any two

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members of the Commission shall be final. The members of the Commission shall serve without compensation, but "The Council" shall provide for the payment of the necessary expenses of the Commission.

Section 10. When the employee is not entitled to the pension benefits of this Act, the City Treasurer shall so advise him or her by letter, but if the employee is entitled to the pension benefits of this Act, the City Treasurer shall so advise the Mayor, whereupon the Mayor shall prepare, sign and seal, and deliver to the employee, an appropriate resolution in the following form:

RESOLUTION

WHEREAS, The retirement of _____
 _____ (Name) _____ (Address)
 an employee of the City of Wilmington, State of Delaware, from
 _____ duties as _____ in the
 _____ (his or her) _____ (Title of Duty)
 _____, presents a suitable opportunity for expressing the esteem in which we hold _____
 _____ (Name)
 _____ as a faithful and satisfactory public servant; therefore, BE IT RESOLVED, That the City of Wilmington expresses its warmest appreciation and thanks to _____
 _____ (Name)
 _____ for the able and loyal manner in which
 _____ has uniformly performed _____
 _____ (he or she) _____ (his or her)
 public duties and BE IT FURTHER RESOLVED, That this Resolution be _____ evidence of a right to the pension provided by the "CITY OF WILMINGTON EMPLOYEES' PENSION ACT".

(Signed) _____

(SEAL)

Mayor of the City of
 Wilmington, State of
 Delaware

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Section 11. If any Federal or other law now or hereafter enacted shall provide for annuities, pension, disability allowances, social security, or other benefits, on account of or arising from the same service for which a pension is granted under the provisions of this Act, then the benefits herein provided shall be reduced to the extent of any such benefits so granted, or if such benefits shall be equal to or greater than the benefits herein provided, no payment shall be made under this Act.

Section 12. No person, while receiving a pension under this Act, shall be employed by the City of Wilmington, or by the Levy Court of New Castle County, or any department or agency of the City of Wilmington, or the Levy Court of New Castle County, in any capacity excepting election by popular vote at an election; and during such elected term, he or she shall not be entitled to a pension unless he or she serves such term of office without pay.

Section 13. The pension benefits herein mentioned shall not be subject to attachment or execution, nor to any State or local income tax, and shall be payable only to the beneficiary designated, and shall not be subject to assignment or transfer.

Section 14. No employee shall be considered eligible for retirement benefits under the provisions of this Act who is covered or potentially covered by any other State, County or Municipal pension plan or statute now or hereafter in effect, except as otherwise provided.

Section 15. The monthly retirement and disability benefits for such employees as shall regularly receive part of their compensation from the City of Wilmington and New Castle County, or in alternate periods shall receive regular compensation from the City of Wilmington or New Castle County, shall be one-half of the monthly retiring base pay, divided by seventy, multiplied by the number of years which such employee shall have served in "covered employment"; in case the total combined monthly retirement or disability benefits calculated, under the provisions

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of this Act and the Act for the retirement of employees of New Castle County, be less than Fifty Dollars (\$50.00), or more than One Hundred and Fifty Dollars (\$150.00) then in lieu of such payment as herein calculated, the said employee shall receive under this Act not less than Twenty-five Dollars (\$25.00) and not more than Seventy-five Dollars (\$75.00) as a monthly retirement or disability benefit.

The provisions of this Section shall be deemed to be an exception to Section 14 insofar as it applies to receive retirement and disability benefits from New Castle County by employees who are alternately or jointly employed by the City of Wilmington and New Castle County, in "covered employment", and who receive regular salary or wages alternately or jointly from the Treasurer of the City of Wilmington and/or the Treasurer of New Castle County, and such employees shall receive retirement and disability benefits in accordance with the provisions of this Section.

Section 16. On and after the effective date of this Act only those new employees who enter the employment of the City of Wilmington under the age of forty-five years shall participate in the pension benefits herein provided; provided, however, the foregoing shall not apply to the employment of persons who are absent from covered employment because of any allowable interruptions from covered employment aggregating not over five years.

Section 17. This Act shall become effective on the first day of July, A. D., 1947.

Approved April 9, 1947.

CHAPTER 238

BELLEFONTE

AN ACT TO AMEND CHAPTER 126, VOLUME 28, LAWS OF DELAWARE, 1915, AS AMENDED, ENTITLED, "AN ACT TO INCORPORATE THE TOWN OF BELLEFONTE, NEW CASTLE COUNTY".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House thereof concurring therein):

Section 1. That Chapter 126, Volume 28, Laws of Delaware as amended be and the same is hereby further amended by adding at the end of Section 12 thereof, the following new paragraph:

The Town Commissioners shall also have the power and authority to levy and collect license fees annually of such various amount or amounts as The Town Commissioners shall fix, from time to time, from any individual, firm, association, partnership or corporation engaged in carrying on or practicing any business, profession or trade within the limits of the Town of Bellefonte; provided, however, that nothing herein shall be so construed as to make it mandatory upon any resident of the State of Delaware to apply for or obtain a license in order to sell, in the Town of Bellefonte, farm produce or any farm products grown on his or her farm. Any license fees, when levied by The Town Commissioners, shall be a debt due THE COMMISSIONERS OF BELLEFONTE, for which an action of law may be maintained.

Approved April 9, 1947.

CHAPTER 239

NEW CASTLE

**AN ACT TO AMEND CHAPTER 123, VOLUME 32, LAWS OF
DELAWARE, BY REPEALING SECTION 1 THEREOF
AND SUBSTITUTING A NEW SECTION TO BE KNOWN
AS SECTION 1, DEFINING ELIGIBLE VOTERS IN THE
CITY OF NEW CASTLE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware, in General Assembly met (two-thirds
of all the members elected to each branch thereof concurring
therein):*

Section 1. That Section 1, Chapter 123, Volume 32, Laws of Delaware, being an Act to amend Chapter 216, Volume 27, Laws of Delaware, be and the same is hereby repealed and a new section to be known as Section 1 be inserted in lieu thereof to read as follows:

"That Chapter 216, Volume 27, Laws of Delaware, being 'An Act Amending, Revising and Consolidating the Charter of the City of New Castle,' as the same has been amended by Chapter 142, Volume 29, Laws of Delaware, be and the same is hereby further amended by striking out the word "male" where it occurs in the sixth line of the fourth paragraph of Section 5 of the said Chapter in relation to the qualification of voters."

Approved April 9, 1947.

CHAPTER 240

NEW CASTLE

AN ACT TO AMEND CHAPTER 216, VOLUME 27, LAWS OF DELAWARE, BY AUTHORIZING THE MAYOR AND COUNCIL OF NEW CASTLE TO EXEMPT PERSONS SERVING IN THE ARMED FORCES OF THE UNITED STATES GOVERNMENT BETWEEN DECEMBER 7, 1941, AND SEPTEMBER 1, 1945, FROM PAYING CAPITATION TAXES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring therein):

Section 1. That Section 19, Chapter 216, Volume 27, Laws of Delaware, be and the same is hereby amended by striking out the next to the last sentence in the first paragraph of said section and substituting a new sentence in place thereof to read as follows:

"Every male resident above the age of twenty-one years shall pay a capitation tax of Two Dollars per year; provided, however, that the Council is authorized to exempt from paying or to refund if paid, any capitation taxes assessed against a resident of the City of New Castle who has served in some branch of the armed forces of the government of the United States between December 7, 1941 and September 1, 1945."

Approved April 9, 1947

CHAPTER 241

NEW CASTLE

AN ACT TO AMEND CHAPTER 122, VOLUME 35, LAWS OF DELAWARE, BY INCREASING THE SALARY OF THE CITY CLERK OF THE CITY OF NEW CASTLE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch thereof concurring therein):

Section 1. That Chapter 122, Volume 35, Laws of Delaware, be and the same hereby is amended by striking out the last paragraph of Section 1 thereof and inserting in lieu thereof a new paragraph to read as follows:

"He shall attend regularly at the office of the city at such regular hours as may be fixed by the Council, and he shall be paid an annual salary to be fixed by the Council but not less than Two Thousand Dollars, nor more than Twenty-four Hundred Dollars, payable monthly. The above salary shall be in full payment and compensation for the performance of all the duties devolving upon him."

Approved April 9, 1947.

CHAPTER 242

NEWPORT

AN ACT TO AMEND CHAPTER 195, VOLUME 24, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF NEWPORT, BY AMENDING SECTION 12 OF THE SAID CHAPTER 195, VOLUME 24, LAWS OF DELAWARE, BY AMENDING THE PROVISIONS AS TO THE AMOUNT OF TAX LEVIED IN EACH AND EVERY YEAR BY THE TOWN COMMISSIONERS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch of the Legislature concurring therein):

Section 1. That Chapter 195, Volume 24, Laws of Delaware, be and the same is amended by striking out therefrom the last paragraph of Section 12 thereof, and inserting in lieu thereof the following paragraph to be known as Section 12A, Chapter 195, Volume 24, Laws of Delaware.

The said Tax Collector shall render an account, and pay unto the Town Treasurer all money in his hands, on the first Monday of every month and upon the expiration of his term of office and at such other time or times as the commissioners, or a majority of them, shall require. The Commissioners may allow such delinquents as they, or a majority of them, may think proper. The amount of tax levied in each and every year by said Commissioners shall not exceed Fifty Thousand Dollars. The citizens of the Town of Newport are hereby exempted from the payment of all Hundred and Road Taxes. The compensation of the Tax Collector shall be fixed by the Commissioners.

Approved April 9, 1947.

CHAPTER 243

REHOBOTH BEACH

AN ACT TO AMEND CHAPTER 161, VOLUME 41, LAWS OF DELAWARE, ENTITLED "AN ACT CHANGING THE NAME OF "THE TOWN OF REHOBOTH" TO "CITY OF REHOBOTH BEACH", ESTABLISHING A CHARTER THEREFOR, AND REPEALING CHAPTER 247 OF VOLUME 27, LAWS OF DELAWARE, BEING ENTITLED "AN ACT CREATING A BOARD OF PUBLIC WORKS FOR THE TOWN OF REHOBOTH, WHICH SHALL ESTABLISH, CONTROL AND REGULATE A WATER WORKS SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS", AS AMENDED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each Branch thereof concurring therein):

Section 1. * That Section 2 of Chapter 161, Volume 41, Laws of Delaware, be, and the same hereby is, amended by striking therefrom the first full paragraph of said Section and inserting in lieu thereof the following paragraph, which shall read as follows:

"Section 2. The Commissioners of Rehoboth now in Office, and their successors hereafter chosen under the provisions of this Charter, within the limits and boundaries established by this Charter, shall be, and they hereby are, created a body politic and corporate, in fact and in Law and Equity, by the name, style and title of "THE COMMISSIONERS OF REHOBOTH", hereinafter called The Commissioners, and under that name shall have perpetual succession; may have and use a corporate seal, which may be altered, changed or renewed at pleasure; may sue and be sued, plead and be impleaded in any and all Courts of Law and Equity in the State of Delaware and elsewhere by said corporate name; may take, receive, hold and enjoy any and all lands, tenements and hereditaments located either within or

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without the limits and boundaries set forth in Section 1 of this Charter, in fee simple or for a lesser estate, interest or otherwise, and also goods, chattels, rights and credits, and may sell, lease, hold, manage and control any such property or properties in such manner as The Commissioners may deem expedient and proper for the purposes hereinafter to be expressed; and may appoint such Officers and agents as shall be necessary or convenient for the management of the affairs of the City, and may fix and determine the compensation of such officers and agents."

Section 2. That Section 3 of Chapter 161, Volume 41, Laws of Delaware, be and the same is hereby amended by enacting and inserting after the word "reside" in line 13 of Section 3, the following words:

"outside of the corporate limits of the City of Rehoboth Beach and three of the said Commissioners shall reside".

Section 3. That Section 6 of Chapter 161, Volume 41, Laws of Delaware, be, and the same hereby is, amended by inserting the word "second" between the word "the" and the word "Saturday" in each instance where such latter two words appear in the fifth line of the first paragraph and the eleventh line of the second paragraph, respectively, of said Section 6.

Section 4. That Section 18 of Chapter 161, Volume 41, Laws of Delaware, as amended, be, and the same hereby is, further amended by striking therefrom the words "fifteenth day of May" as the same appear at the end of the sixth line and the beginning of the seventh line of the second paragraph of said Section and inserting in lieu thereof the words "fifteenth day of September."

Section 5. That Section 24, Chapter 161, Volume 41, Laws of Delaware, be and the same hereby is, amended by striking out all of said Section 24 and inserting in lieu thereof a new Section 24, as follows:

"LEVY OF ANNUAL TAXES"

"Section 24. At the first regular meeting in July, after having revised and completed the assessment, The Commis-

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sioners shall determine, to their best judgment and knowledge, the total amount necessary to be raised by the City to meet all fixed and anticipated expenses and obligations of the City, including reasonable and appropriate reserves, for the then current fiscal year as set forth in the City Budget for such year plus a reasonable amount to cover unanticipated expenses and emergencies.

"They shall then proceed to determine, in their sole discretion, from which sources of the authorized revenues of the City the amount so determined by them shall be raised and, within the limits prescribed by this Charter with respect to any such source, the amount to be raised from each such source.

"They shall then proceed to determine, assess, fix and/or levy

- a. the rate of tax on real estate per \$100 of assessed value; and/or
- b. the amount of personal or per capita tax upon each qualified voter; and/or
- c. the rate of tax upon all poles, constructions, erections, wires and appliances more particularly mentioned, or intended so to be, in sub-Section 29 (33) of this Charter, as amended; and/or
- d. the several license fees to be charged for carrying on or conducting of the several businesses, professions or occupations more particularly mentioned, or intended so to be, in sub-Section 29 (33) of this Charter, as amended, and/or
- e. the several rates to be charged for furnishing water service, sewer service, electric service, gas service, and/or the like by the City; and/or
- f. the fees or rates to be charged in respect of any other authorized source of revenue,

sufficient in their best judgment and estimation to realize the amount to be raised from each such source determined by them to be used, as aforesaid: Provided, however, that sources d, e,

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and f, aforementioned, may be determined, fixed, assessed, levied and/or altered or changed upon other than a fiscal year basis and at any other regular or special meeting of The Commissioners as they, in their own proper discretion, shall determine.

"Immediately after the first regular meeting in July of each and every year, The Commissioners shall make, or cause to be made, a full, true and correct annual tax list showing the amount of tax levied against each taxable thereon from sources a, b, and c, abovementioned. This List shall be known as the annual tax list of the City of Rehoboth Beach. In addition to the information contained in the assessment list, it shall likewise contain information as to the rate of tax upon real estate per \$100 of assessed value thereof.

"The Commissioners shall cause to be delivered to the City Manager a duplicate of said annual tax list and the City Manager shall immediately proceed to collect the same as hereinafter provided.

"Nothing contained in this Charter shall be construed to affect or impair in any way the validity of any tax, fee, assessment or other charge lawfully levied, assessed, or due the City of Rehoboth Beach under existing laws in reference to said City and the same are hereby declared to be valid, binding and vested in the City of Rehoboth Beach created hereby".

Section 6. That Section 28 of Chapter 161, Volume 41, Laws of Delaware, as amended, be, and the same hereby is, further amended by striking therefrom all of the first paragraph of said Section and inserting in lieu thereof the following paragraph:

"Section 28. The fiscal year for the City of Rehoboth Beach shall be from July 1st of one year to June 30th of the next succeeding year."

Section 7. That Section 29, Chapter 161, Volume 41, Laws of Delaware, as amended, be, and the same hereby is, further

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amended by striking out all of said Section 29, as amended, and inserting in lieu thereof a new Section 29, as follows:

"ENUMERATION OF POWERS"

"Section 29. Not by way of limitation upon the power vested in The Commissioners to exercise all powers delegated by this Charter to the municipal corporation of The Commissioners of Rehoboth except as may expressly appear herein to the contrary, but, rather, by way of enumeration and for purposes of clarity, The Commissioners are vested by this Charter with the following powers, to be exercised by said The Commissioners in the interest of good government and the safety, health and welfare of the City, its inhabitants and affairs, that is to say,

- "1. To prevent vice, drunkenness and immorality.
- "2. To provide for and preserve the health, peace, safety, cleanliness, ornament and good order of the City and its inhabitants.
- "3. To prohibit all gaming and fraudulent devices.
- "4. To prohibit, restrain, license or regulate all public sports, exhibitions, shows, parades, productions, circuses or other public performances, amusements and games.
- "5. To ascertain, locate, lay out, establish, open, change, alter, widen, abandon, regulate the use and enjoyment of, prevent or remove any obstruction of, level, grade, flag, dress, macadamize, pave, gravel, shell, improve, dredge, erect, remove, repair or replace any new or present street, highway, lane, alley, watercourse, park, lake, strand, crosswalk, wharf, dock, sewer, drain, aqueduct or pipe line, or portion thereof, or any new or present sidewalk, curb or gutter, or portion thereof, in the City; to specify the grade thereof, the materials to be used in the doing thereof and the manner in which the same shall be done; and to enter into contracts or agreements for the doing thereof, including contracts or agreements with the State Highway Department of the State of

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Delaware for the permanent maintenance, repair and upkeep of any street, lane, alley, roadway or other highway within the City.

- "6. To regulate or control the observance of the Sabbath Day.
- "7. To establish and regulate pounds and to restrain, prohibit and empound any domestic or wild animal, beast, bird or fowl running at large and to authorize the destruction of the same, and to impose taxes on the owners of dogs.
- "8. To locate, regulate, license, restrain or require the removal of slaughter houses, wash houses, laundries, canning establishments, phosphate, fish, fertilizer or manure plants or establishments, swine pens, privies, water closets and any businesses or buildings or conditions detrimental to the public health or constituting a public nuisance or of an offensive or noxious nature.
- "9. To enforce the removal of snow, ice, dirt or other foreign substance from sidewalks and gutters by owners or abutting owners.
- "10. To prohibit, remove, or regulate the erection and maintenance of, any stoop, step, platform, bay window, cellar door, gate, area, descent, sign, post, or any other erection or projection in, over, upon or under any street, highway, alley, lane, watercourse, park, lake, strand, sidewalk, crosswalk, wharf, dock, sewer, drain, aqueduct or pipeline of the City.
- "11. To define, prevent, abate or remove nuisances, obstructions or any condition detrimental to the public safety, health or welfare.
- "12. To provide an ample supply of pure water for the City and its inhabitants and to this end to acquire, lease, erect, construct, maintain, operate, extend, enlarge, renew, replace, control and dispose of wells, reservoirs, pumps, machines, stations, tanks, standpipes, water

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mains, fire hydrants and all other equipment, property or rights used in and about the collection, storage, purification, conveyance, distribution or sale of water; to regulate and prescribe for what private or public purposes the water furnished by the municipal corporation may be used, the manner of its use, the amounts to be paid by the users thereof, the means whereby such amounts shall be collected and the fines or penalties, or both, for any wilful or negligent injury or damage to or interference with the water system or equipment of the City; to furnish, or refuse to furnish, water from the City system to places and properties outside the City limits; and to contract for and purchase water and distribute the same to users within or without the City with the same full powers as though such water had been initially reduced to usefulness by the municipal corporation itself.

- "13. To provide, construct, extend, maintain, manage and control a sewer system and/or a sewage treatment and disposal plant and facilities for the health, sanitation and convenience of the inhabitants of the City; to regulate and prescribe for what private or public purposes the system may be used, the manner of its use, the amounts to be paid by the users thereof, the means whereby such amounts shall be collected and the fines or penalties, or both, for any wilful or negligent injury or damage to, or interference with the said system, plant or facilities; to furnish or refuse to furnish, sewer disposal service from the City system to places and properties outside the City limits; in the interest of the public's health, to compel any and all properties in the City to be connected to the sewer system of the City; and to contract for and purchase sewer disposal service and to resell the same to users within or without the City with the same full powers as though such service had been initially provided by the facilities therefor of the municipal corporation itself.

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- "14. To provide, construct, extend, maintain, manage and control a plant and system, or plants and systems, for the generating, manufacturing and distributing of electric current or gas, or both, to the inhabitants of the City and for lighting the streets, highways, lanes, alleys, watercourses, parks, lake, strands, sidewalks, crosswalks, wharves, docks, public buildings or other public places of the City and to this end to acquire, lease, erect, construct, maintain, operate, extend, enlarge, renew, replace, control and dispose of transmission and distribution lines, pipes, mains and other conveyances for any such current or gas as may be necessary properly to light the City and to furnish proper connections for electric current and gas to the properties of the inhabitants of the City who may desire the same; to regulate and prescribe for what private or public purpose the current or gas furnished by the municipal corporation may be used, the manner of its use, the amount to be paid by the users thereof, the means whereby such amounts shall be collected and the fines or penalties, or both, for any wilful or negligent injury or damage to or interference with the electric or gas system or systems of the City; to furnish or refuse to furnish, electric current or gas from the City's system or systems to places and properties outside the City limits; and to contract for and purchase electric current or gas and distribute the same to users within or without the City with the same full powers as though such current or gas had been initially reduced to usefulness by the municipal corporation itself.
- "15. To fully control within the City the drainage of all water and, to that end, to alter or change the course and direction of any natural water course, runs or rivulet within the City, to regulate, maintain, clean and keep the same open, clean and unobstructed, and to provide, construct, extend, maintain, manage and control a surface water drainage system and facilities for the health, sanitation and convenience of the inhabitants of the City.

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- "16. To provide, construct, extend, maintain, manage and control jetties, bulkheads, embankments, flood gates, piers, boardwalks or fills for the preservation of any strand or high land within the limits of the City or contiguous thereto, to the end that the same may be preserved, properly protected and the general public might enjoy the use thereof.
- "17. To grant franchises or licenses to any responsible person, firm, association or corporation, for such period of time, upon such terms, restrictions, stipulations and conditions and for such considerations as The Commissioners shall deem wise, to use the present and future streets, highways, lanes, alleys, watercourses, parks, lakes, strands, sidewalks, crosswalks, wharves, docks, and other public places of the City for the purpose of furnishing heat, light, power, gas, water, sewer, drainage, electric current, telephone, telegraph, railroad excepting railroads or railways engaged in interstate commerce, bus, taxi or other transportation, carrier or public service to the City and to the persons, firms, or corporations residing or located therein and for the purpose of transmitting the same from or through the City to points outside the limits thereof, and for the purpose of erecting wharves and piers, and for the purposes of vending any article of merchandise or service upon, or from any vehicle upon, any such present and future street, highway, lane, alley, etc.: Provided, that no exclusive franchise or license shall be granted for any such purpose to any person, firm, association or corporation whomsoever.
- "18. To regulate and control the exercise of any license or franchise mentioned in Section 29 (17) of this Charter or intended so to be.
- "19. To direct, regulate and control the planting, rearing, treatment and preserving of ornamental shade trees in the streets, highways, avenues, parks and grounds of the City and to authorize or prohibit the removal or destruction of said trees.

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- "20. To direct the digging down, draining, filling up, cleaning, cutting or fencing of lots, tracts, pieces or parcels of ground in the City which may be deemed dangerous or unwholesome or necessary to carry out any improvements authorized by this Charter.
- "21. To provide for or regulate the numbering of houses and lots on the streets, and the naming of streets and avenues.
- "22. To regulate, control or prevent the use or storage of gunpowder, fireworks, tar, pitch, resin and all other combustible materials, and the use of candles, lamps and other lights in stores, shops, stables and other places; to suppress, remove, or secure any fireplace, stove, chimney, oven, broiler, or other apparatus which may be dangerous in causing fire.
- "23. For the prevention of fire and the preservation of the beauty of the City, to regulate and control the manner of building or removal of dwelling houses and other buildings; to establish a code for the same and to provide for the granting of permits for the same; to establish a building line for buildings to be erected; zone or district the City and make particular provisions for particular zones or districts with regard to building or building materials; and, generally to exercise all the powers and authorities vested in the legislative body of cities and incorporated towns under and by virtue of Chapter 179, Revised Code of Delaware, 1935, and all amendments thereto.
- "24. To acquire, build, erect and maintain a suitable place as a lock-up or jail for the City which shall be used as a place of detention for persons convicted of violation of law or ordinance, or for the detention of persons accused of violation of law or ordinances for a reasonable time, in cases of necessity, prior to hearing and trial; and to provide for the restraint, support and employment of paupers, beggars and vagrants: Provided, that the jails of Sussex County may be used for any such purpose, in which event the City shall pay for the board of persons

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committed thereto for violations of ordinances of the City which are not violations of any general law of the State.

- "25. To acquire, build, erect and maintain buildings and facilities necessary or required for housing and equipping offices of the City.
- "26. To regulate or prevent the use of guns, air guns, spring guns, pistols, sling shots, beanshooters, and any other devices for discharging missiles which might cause bodily harm or injury to property; and to regulate or prevent the use of fireworks, bombs and detonating works of all kinds.
- "27. To provide for the punishment of a violation of any ordinance of the City by fine or imprisonment, or both, not exceeding One Hundred Dollars or thirty days, and for working any person sentenced to such imprisonment or any person who shall refuse to so work when ordered.
- "28. To provide for the organization of a fire department and the control and government thereof; to establish fire limits and do all things necessary for the prevention or extinguishment of fires; and, in their discretion, to contribute, donate or give an amount or amounts, not to exceed in the total during any given fiscal year two per centum (2%) of the total taxes levied on real estate, unto any Volunteer Fire Company or Companies incorporated under the Laws of Delaware, or any Volunteer Fire Association or Associations maintaining and operating fire fighting equipment and service in the City: Provided, that any such contribution, donation or gift may be made subject to such conditions and stipulations as to the use thereof as The Commissioners shall deem advisable.
- "29. To purchase, take and hold real and personal property when sold for any delinquent tax, assessment, water rent, electric bill, gas bill, license fee, tapping fee, charge

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growing out of abatement of nuisances and the like, laying out and repairing sidewalks, or other charge due the City and to sell the same.

- "30. To levy and collect taxes for any and all municipal purposes upon all real estate within the City, except lands belonging to the City; Provided, that the amount to be raised from this source in any one fiscal year shall not exceed the sum of Ninety Thousand Dollars (\$90,000.00).
- "31. To levy and collect a personal or per capita tax upon all persons otherwise qualified to vote at any annual municipal election to be used for any and all municipal purposes and not to exceed the sum of One Dollar (\$1.00) in any one year for each such person.
- "32. To levy and collect taxes upon all telephone, telegraph, power poles, pipe lines, rail lines or other constructions or erections of a like character erected within the limits of the City, together with the wires or other appliances thereto or thereon attached, expressly excepting all telephone, telegraph, power lines or poles and rail lines owned or operated by any railroad or railway company engaged in interstate commerce, for any and all purposes, and to this end may at any time direct the same to be included in or added to the City Assessment. In case the owner or lessee of such constructions or erections, wires or other appliances shall refuse or neglect to pay the taxes levied thereon, in addition to the remedies for the collection thereof set forth in Section 27 of this Charter, The Commissioners shall have authority to cause the same to be removed.
- "33. To license, tax and collect fees annually for any and all municipal purposes (including the cost and expense of advertising the City) of such various amounts as The Commissioners from time to time shall fix, from any individual, firm, association or corporation carrying on or practicing any business, profession or occupation within the limits of the Town: Provided, however, that nothing herein shall be so construed as to make it mandatory

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upon any resident of the State to apply for a license in order to sell in the City any farm produce or products grown upon a farm owned by the vendor or any member of his family with whom he resides.

- "34. To determine from which authorized sources and in what proportions taxes shall be levied and used each year to raise the revenue or funds required to meet the general expenses of the municipal corporation and all funding, amortization and interest requirements on its outstanding bonds or other indebtedness.
- "35. To provide for the collection of and disbursement of all monies to which the City may become entitled by law, including licenses and fines, where no provision for the collection and disbursement thereof is otherwise provided in the Charter.
- "36. To borrow money in the name of the City for any proper municipal purpose and in order to secure the payment of the same to issue bonds or other kinds or forms of certificate or certificates of indebtedness pledging the full faith and credit of the City or such other security or securities as The Commissioners shall select, for the payment of the principal thereof and the interest due thereon, all of which bonds or other kinds or forms of certificates of indebtedness issued by the City shall be exempt from all State, County or municipal taxes: Provided, that in no event shall the indebtedness of the City, for any and all purposes, at any one time exceed in the aggregate fifteen per centum (15%) of the assessed value of all real estate in the City subject to assessment for the purpose of levying the annual tax hereinbefore mentioned.
- "37. To acquire, and/or to vacate the use of, lands, tenements, personalty, property, easements, rights of way, or any interest in property, either within or without the limits of the City, by way of condemnation and eminent domain, for any proper and lawful municipal purpose or when-

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ever required properly to carry out, exercise or fulfill any power conferred upon or delegated to the municipal corporation by the Charter. Proceedings by way of condemnation in any such case shall be the same or prescribed hereafter in Section 33 of this Charter for the opening and laying out of new streets or the vacating or abandoning of old streets and the resolutions referred to in said Section 33 shall be changed and modified to cover any case contemplated hereby.

- "38. To appropriate money to pay the debts, liabilities and expenditures of the City, or any part or item thereof, from any fund applicable thereto, and to transfer temporarily money from one fund to another fund of the Town in case of emergency.
- "39. To provide for the payment of any tax, fine, penalty, license, forfeiture, assessment, fee, charge or other amount due the City by the performance of labor or service for the City by any person owing the same.
- "40. To inquire into and investigate the conduct of any office, officer, agent or employee of the City or any municipal affair and for any such purpose or purposes may subpoena witnesses, administer oaths or affirmations, and compel the attendance of witnesses and production of books, papers or other evidence by summary process.
- "41. To make, adopt and establish all such ordinances, regulations, rules and by-laws, not contrary to the laws of this State and the United States, as The Commissioners may deem necessary to carry into effect any of the provisions of this Charter or any other law of the State relating generally to municipal corporations or which they may deem proper and necessary for the good government of the City, the protection and preservation of persons and property and of the public health and welfare of the City and its inhabitants: Provided, that any ordinance relating to the public health of the City and its inhabitants, or designed to prevent the introduction or spread of infectious or contagious diseases, or to pre-

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vent nuisances affecting the same, shall apply not only within the corporate limits of the City but as well to all areas and persons outside the City within one mile from said limits."

Section 8. That Section 23 of Chapter 161, Volume 41, Laws of Delaware, be, and the same hereby is amended, by striking therefrom the word "June" wherever the same appears in said Section and substituting in lieu thereof the word "May".

Section 9. That Chapter 161, Volume 41, Laws of Delaware, as amended, be, and the same hereby is further amended, by adding a new section thereto, to be known as "Section 33A", which such new "Section 33A" shall read as follows:

"STREET IMPROVEMENT COST"

"Section 33A. In addition to the power and authority to expend funds of the City of Rehoboth Beach to improve present and future streets, highways, lanes, avenues and alleys of the City, The Commissioners are hereby authorized and empowered to apportion and impose not exceeding two-thirds of the entire cost to the City of improving any present or future street, highway, lane, avenue and alley, or part thereof, upon the adjacent property holders, block by block, in the manner following.

"For the purposes of this Section the entire cost to the City of any such improvement shall be deemed to include the total costs to be paid by the City out of City funds for improving and/or repairing the surface of any such present or future street, highway, lane, avenue and alley from curb line to curb line, as well as the total costs to be paid by the City out of City funds for laying down, replacing and/or repairing sewer mains and laterals, water mains and laterals, and/or surface water drainage mains and catch basins, all as The Commissioners shall elect and determine.

"The cost of any such improvement to the intersection of any given streets, highways, lanes, avenues and/or alleys of the City shall be borne solely by the City, and no part thereof,

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as the same shall be determined by The Commissioners, shall be apportioned and imposed upon the adjacent property holders, block by block, as aforesaid.

"For the purpose of this Section any given "block" of the City shall be deemed to include the entire lineal footage of all property fronting upon both sides of any given street, highway, lane, avenue or alley of the City between any two other successive, intersecting streets, highways, lanes, avenues and/or alleys, as the case may be, of the City.

"Upon the petition, in writing, signed by the then owners of a majority of the entire lineal footage of all property fronting upon any given block of the City and filed with The Commissioners, praying that in pursuance of Section 33A of the Charter of the City of Rehoboth Beach The Commissioners proceed to improve such block of any such street, highway, lane, avenue or alley and the street intersections at each end thereof, then, in such event, The Commissioners may at any time thereafter proceed to improve the same in pursuance of, and under the terms and provisions of, this Section. No such petition shall be received and filed if it undertakes to limit or restrict the time within which such improvement shall be carried out, or the discretion of The Commissioners as to the nature, extent and cost of such improvement as vested in said The Commissioners by this Section. Nor shall any such petition be received and filed unless it shall have attached thereto an oath or affirmation of at least two freeholders of the City of Rehoboth Beach taken before any person authorized to administer oaths under the Laws of the State of Delaware, and verifying that the signatures appended to such Petition were made in their presence and are the signatures of the persons whose names they purport to be, and that they did fully read such Petition unto each such signer prior to the signing thereof by each such signer. Whenever any such Petition shall have been received and filed by The Commissioners, it may not thereafter be withdrawn, nor shall the signature of any signer be stricken therefrom, except by and with the consent of The Commissioners so to do. Whenever any such Petition shall have been received and filed by The Commissioners, as aforesaid, it shall be admitted into evidence by all

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Courts of Law of Equity and shall be prima facie proof of its contents and of the signatures of the respective signers thereof.

"In effecting and carrying out any such improvement as is contemplated by this Section, the entire costs thereof to the City may be paid, when due, by The Commissioners out of any funds of the City not otherwise appropriated or earmarked and/or for any such purpose The Commissioners may borrow money and secure the payment of the same, and The Commissioners of Rehoboth are hereby authorized and empowered to issue bonds or other kinds or forms of certificate or certificates of indebtedness pledging the full faith and credit of the City of Rehoboth Beach, or such other security or securities as The Commissioners shall elect, for the payment of the principal thereof and the interest due thereon under and pursuant to the terms and provisions of, and in the manner provided by, Section 40 of the Charter of the City, as amended, the pertinent terms and provisions whereof are hereby incorporated by reference into this Section 33A: PROVIDED, HOWEVER,

- a. in all borrowings and/or issuance of bonds or forms of certificate or certificates of indebtedness for any of the purposes of this Section 33A it shall not be necessary for the Commissioners of Rehoboth to call or hold a special election of the taxables of the City to secure their approval of such borrowing; and
- b. Each bond or other kinds or forms of certificate or certificates of indebtedness issued by The Commissioners for any of the purposes of this Section 33A shall provide that the same may be called in and redeemed and paid by The Commissioners, in whole or in part, at its option, at any interest date designated therein prior to the maturity date thereof.

"Immediately upon the completion and/or acceptance of any such improvement of any given block of any present or future street, highway, lane, avenue and/or alley of the City, The Commissioners shall cause to be made a true and accurate statement of the whole and entire costs to the City thereof and shall deduct from such whole and entire costs,

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- a. the cost of such improvement to the intersections of any given streets, lanes, avenues and/or alleys done and improved in connection with and as a part of any such improvement undertaken in pursuance of this Section.

The whole and entire costs of any such improvement of any such given block then remaining shall be divided into three equal parts and the total amount of two such equal parts thereof shall then be apportioned among and levied and assessed upon all of the adjacent property and property-holders of such block according to the lineal footage of their several properties fronting upon both sides of such given block of such street, highway, lane, avenue and/or alley of the City, as the case may be.

"Such levy and assessment shall be made and perfected by The Commissioners causing a complete list of all properties to be thus assessed, and setting forth the number of lineal feet of each such property fronting upon such block, the owner or owners of each such property and the amount levied and assessed against each such property and the owner or owners thereof.

"A copy of such special assessment list shall be posted in the City Hall of the City for one week for public inspection. An advertisement of such posting and stating the time and place when and where The Commissioners shall sit to hear objections thereto shall be published in two successive issues of a newspaper published in said City prior to the posting thereof and the time of said hearing. The hearing shall not be less than ten (10) days nor more than twenty (20) days after the last publication of such advertisement.

"The Commissioners shall sit in public hearing on the day and hour and at the place specified in said advertisement and shall hear and determine all objections to such special assessment list as shall have been made by any party in interest, in writing, and filed with The Commissioners, or any member thereof, at any time prior to the hour of such public hearing as fixed in the advertisement thereof. The hearing may be adjourned from time to time until all such objections as have been filed, as aforesaid, shall have been heard and determined.

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"Upon hearing and determining all such objections to such special assessment list, The Commissioners shall cause said list to be corrected and altered, if need be, to conform to, and comply with, the terms and provisions of this Section. Thereupon, such list shall be certified to by said The Commissioners as correct and the several amounts shown upon such altered and corrected list, as having been levied and assessed against the several properties and owners thereof as therein set forth.

"Any such special assessment shall be a lien upon the respective properties upon which any such assessment is levied and assessed, as aforesaid. Such lien shall have priority over any and all other liens, incumbrances or conveyances, excepting only tax liens and prior special assessment liens of a like nature for public improvement.

"Immediately after certifying any such list, The Commissioners shall cause a duplicate thereof to be delivered to the City Manager, who shall immediately prepare statements of such assessments against each property so assessed and shall mail, or deliver, or cause to be delivered, such statements to the person or persons whose names appear therein as the owner or owners of such property or properties, respectively. If mailed to the last known post office address of any such person, or persons, it shall be full and sufficient notice of such assessment for the purposes of this Section.

"All sums paid on account of any such assessment shall be paid to the City Manager who shall give his receipt therefor, and all such sums shall be by him delivered upon their receipt unto the Treasurer who shall deposit them in some banking institution or institutions in Delaware in a special account to be designated as a "Sinking Fund for Street Improvement", separate and distinct from any other funds handled by said Treasurer. All such amounts shall only be paid out of any such account for the purpose of paying, retiring and/or redeeming any borrowing, bonds or other certificate or certificates of indebtedness issued or incurred by the City of Rehoboth Beach in pursuance of this Section, and for paying the interest thereon. If at any given time all such outstanding borrowings, bonds or

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other certificate or certificates of indebtedness, and all interest due thereon, be fully paid and satisfied, then any amount remaining in such Sinking Fund may be paid over into the General Fund of the City and used for any lawful, municipal purpose of the City.

"All special assessments made in pursuance of this Section shall be due and payable upon the date that The Commissioners shall certify as to the correctness of the same, as aforesaid, and all amounts unpaid thereon after sixty (60) days of the date of any such certification shall bear interest from the due date thereof, as aforesaid, until the date of payment, at the rate of six per centum (6%) per annum; such interest to be added thereto and treated and considered as a part of any such assessment. Any such assessment paid in full within sixty (60) days of the due date thereof shall not bear interest.

"Any property owner or owners so assessed may file with the City Manager a statement in writing signed by such owner or owners stating, in effect, that such owner or owners elects to pay any such assessment in five equal installments. Any such statement must have been so filed within sixty (60) days after the due date of any such assessment, as aforesaid, and if so filed such owner or owners shall then be entitled to pay the same in five equal installments, with interest as aforesaid upon the unpaid balance: the first such installment to be due and payable within sixty (60) days from the date that The Commissioners shall have certified the list, as aforesaid, and a subsequent installment, with interest as aforesaid, to be due and payable on the first day of July of each year thereafter until fully paid. Any such owner shall have the right to pay the full balance due upon his assessment at any installment date aforesaid. If any such owner does not elect, as aforesaid, to pay in installments, or having so elected thereafter neglects to pay any installment, or part thereof, when due, then the whole of said assessment and interest, or the unpaid portion thereof, as the case may be, shall forthwith be collected by the City Manager who is hereby vested with all the rights and powers, and shall proceed to collect the same in any of the manners, provided for the collection of other taxes, assessments and charges due the City as more particularly set forth in Section 27 of the Charter of said City.

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"The power and authority to apportion, impose and collect not exceeding two-thirds of the entire cost to the City of improving any present or future street, highway, lane, avenue and alley, or part thereof, upon the adjacent property-holders, block by block, in the manner hereinbefore provided in this Section, or intended so to be, shall bind and apply to all property now or hereafter situate in the limits of said City as now or hereafter defined."

Section 10. Every and all Sections or parts of Sections of this Act shall become effective immediately upon its approval with the exception of Section 9 hereof. Said Section 9 of this Act shall not take effect, nor shall said Section 9, or any provision thereof, be deemed to have changed or altered, in any manner whatsoever, any existing Law or Laws of the State of Delaware until such time as the same shall have been accepted by a majority of the votes cast at a Special Election of all the taxables of the City of Rehoboth Beach. In respect to any such Special Election the time thereof, the giving of the notice thereof, the conducting thereof, the ballots therefor (which shall read "FOR PROPOSED SECTION 33A OF THE CHARTER" and "AGAINST PROPOSED SECTION 33A OF THE CHARTER"), the taxables entitled to vote thereat, the number of votes each such taxable shall be entitled to vote thereat, the manner of casting votes thereat, the counting of the votes cast thereat, the certifying of the result of the votes cast thereat, and the recording and filing of the results thereof, all shall be done, performed, carried out, authorized and empowered in substantially the same manner and under the same authorities and powers as provided in the ninth to the sixteenth full paragraphs, inclusive, of Section 40 of Chapter 161, Volume 41, Laws of Delaware, as amended, having to do with Special Elections of the taxables of the City of Rehoboth Beach to authorize said City to borrow money and/or issue bonds or other certificates of indebtedness in certain instances; the pertinent and necessary provisions of which paragraphs of said Section are hereby incorporated into this Section 10 of this Act by reference.

If the acceptance of said Section 9 of this Act shall not be approved by a majority of the votes cast at any such Special

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Election called and held for that purpose, as aforesaid, The Commissioners of Rehoboth are hereby authorized and empowered to call a further such Special Election or Special Elections, at any time, or from time to time, thereafter in like manner and for said purpose: PROVIDED, that a majority of The Commissioners of Rehoboth shall vote so to do and that no two such Special Elections shall be held in any given calendar year.

No such Special Election for the acceptance or rejection of Section 9 hereof, as hereinbefore provided, shall be called or held in any given calendar year unless prior thereto and during the same calendar year there shall have been called and held a Special Election whereat the taxables of the City of Rehoboth Beach shall have defeated an increase in the indebtedness of said City in such amount as reasonably shall be required to improve generally the then present unimproved and partially unimproved streets, highways, lanes, avenues and alleys of said City in accordance with a general street improvement plan therefor adopted by The Commissioners of Rehoboth under and pursuant to Section 40 of Chapter 161, Volume 41, Laws of Delaware, as amended.

Section 11. All Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act are hereby repealed to the extent of such inconsistency only.

Section 12. If any part of this Act shall be held invalid or unconstitutional such holding shall not be deemed to invalidate the remaining provisions thereof.

Section 13. This Act shall be taken as, and deemed to be, a public Act of the State of Delaware.

Approved April 9, 1947.

CHAPTER 244

SMYRNA

AN ACT TO AMEND CHAPTER 192, VOLUME 36, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SMYRNA" BY PROVIDING FOR THE EXTENSION OF THE TIME THE POLLS SHALL BE OPEN AT ANNUAL ELECTIONS IN THE TOWN OF SMYRNA.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the Legislature concurring therein):

Section 1. That Chapter 192, Volume 36, Laws of Delaware, be amended by striking out the following part of the second paragraph of Section 3 which now reads as follows:

"Such election shall be held on the last Monday in February in each year at the Town Hall in said Town, or at such other convenient place in said Town as shall be appointed by Council by a majority vote, and the polls shall be open from two o'clock P. M. until five o'clock P. M. standard time",

and by inserting in lieu thereof the following new part of said second paragraph of Section 3 as follows, to-wit:

"Such election shall be held on the last Monday in February in each year at the Town Hall of said Town, or at such other convenient place in said Town as shall be appointed by the Mayor and Council by a majority vote, and the polls shall be open from two o'clock P. M. until seven o'clock P. M. Eastern Standard Time".

Approved April 9, 1947.

CHAPTER 245

STATE REVENUE

RELATING TO INCOME TAX AND INCREASING SALARY OF
STATE TAX COMMISSIONER AND DEPUTY

**AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE
OF THE STATE OF DELAWARE, 1935, AS AMENDED,
IN RELATION TO INCOME TAX.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Section 112 of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by striking out paragraph (a) (1) and substituting in lieu thereof the following:

(a) (1) The proceeds of life insurance policies paid upon the death of the insured to any taxable, including the increment or interest on installment payments, whether the election for installment payments was made by the insured or by the beneficiary after the death of the insured.

Section 2. That Section 112, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 112 (a) (14) as follows:

(a) (14) Amounts received under the G. I. Bill of Rights by former members of the armed forces of the United States in World War II. The provisions of this paragraph shall apply to all income tax returns for the year 1945 and all subsequent years.

Section 3. That Section 112, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 112 (a) (15) as follows:

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(a) (15) Amounts received as a pension from employers, or the government of the United States or from the State of Delaware. Amounts received as old age and survivor benefits under the Federal Social Security law or as aid to dependent children or old age assistance under the laws of the State of Delaware.

Section 4. That Section 112 of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 112 (b) (7) as follows:

(b) (7) In cases where a resident, as defined in the third sentence of Section 1, Chapter 10, Volume 45, Laws of Delaware, 1945, maintains a domicile outside of Delaware for occupancy by his wife or by such other person or persons chiefly dependent upon him for support to the extent that such dependency would entitle a taxable to head of family exemption if such dependent or dependents resided with him in Delaware, the resident shall be allowed the personal exemption of a married man living with wife or head of family exemption as though said wife or other dependents resided with him in Delaware.

Section 5. That Section 113, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 147 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 113 (1) (a) as follows:

(1) (a) The ordinary and/or necessary expenses paid by or incurred by the taxable for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income.

Section 6. That Section 113 of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 147 of said Code, as amended, be and the same is hereby further

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RELATING TO INCOME TAX AND INCREASING SALARY OF
STATE TAX COMMISSIONER AND DEPUTY

**AN ACT TO AMEND CHAPTER 6 OF THE REVISED CODE
OF THE STATE OF DELAWARE, 1935, AS AMENDED,
IN RELATION TO INCOME TAX.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Section 112 of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by striking out paragraph (a) (1) and substituting in lieu thereof the following:

(a) (1) The proceeds of life insurance policies paid upon the death of the insured to any taxable, including the increment or interest on installment payments, whether the election for installment payments was made by the insured or by the beneficiary after the death of the insured.

Section 2. That Section 112, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 112 (a) (14) as follows:

(a) (14) Amounts received under the G. I. Bill of Rights by former members of the armed forces of the United States in World War II. The provisions of this paragraph shall apply to all income tax returns for the year 1945 and all subsequent years.

Section 3. That Section 112, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 112 (a) (15) as follows:

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RELATING TO INCOME TAX AND INCREASING SALARY OF
STATE TAX COMMISSIONER AND DEPUTY

(a) (15) Amounts received as a pension from employers, or the government of the United States or from the State of Delaware. Amounts received as old age and survivor benefits under the Federal Social Security law or as aid to dependent children or old age assistance under the laws of the State of Delaware.

Section 4. That Section 112 of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 146 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 112 (b) (7) as follows:

(b) (7) In cases where a resident, as defined in the third sentence of Section 1, Chapter 10, Volume 45, Laws of Delaware, 1945, maintains a domicile outside of Delaware for occupancy by his wife or by such other person or persons chiefly dependent upon him for support to the extent that such dependency would entitle a taxable to head of family exemption if such dependent or dependents resided with him in Delaware, the resident shall be allowed the personal exemption of a married man living with wife or head of family exemption as though said wife or other dependents resided with him in Delaware.

Section 5. That Section 113, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 147 of said Code, as amended, be and the same is hereby further amended by adding a new paragraph to be known as 113 (1) (a) as follows:

(1) (a) The ordinary and/or necessary expenses paid by or incurred by the taxable for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income.

Section 6. That Section 113 of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 147 of said Code, as amended, be and the same is hereby further

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amended by striking out sub-paragraph (5) thereof and by striking out sub-paragraph (5a), being Chapter 10, Section 7, paragraph (5a) of Volume 45, Laws of Delaware, 1945, and by substituting in lieu thereof the following paragraph to be known and styled sub-paragraph (5):

(5) Contributions or donations to the State of Delaware or to any political subdivision thereof or to any institution supported in whole or in part by the State or any contribution or donation, to a corporation, or church, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, that where such contribution or donation is made other than in cash, the fair market value of the property at the date contributed or donated shall be the basis for deduction; and further provided, that contributions or donations shall not exceed fifteen per centum of the taxpayer's net income, as computed without the benefit of this paragraph.

Section 7. That Section 116, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 150 of said Code, as amended, be and the same is hereby further amended by striking out paragraph (d) (III) of said Section 116, and substituting in lieu thereof the following:

(d) (III) In the case of property not used in trade or business, the personal residence of a taxable excepted, proper adjustment shall be made for exhaustion, wear and tear, obsolescence and depletion which have been sustained since the acquisition of the property. The exception in this paragraph of the personal residence of a taxable shall apply to all income tax returns for the year 1945 and all subsequent years.

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Section 8. That Section 118, of said Chapter 6 of the Revised Code of the State of Delaware, 1935, being Code Section 152 of said Code, be and the same is hereby amended by adding thereto a new paragraph to be known as 118 (b) (1) as follows:

(b) (1) After the expiration of the term of office of the State Tax Commissioner on November 1, 1949, the State Tax Commissioner shall be paid a salary of Six Thousand Five Hundred Dollars (\$6,500.00) per annum in equal monthly installments.

Section 9. That Section 120, of said Chapter 6 of the Revised Code of the State of Delaware, 1935, being Code Section 154 of said Code, be and the same is hereby amended by striking out the period at the end of paragraph (d) of said Section as amended, and by substituting a semi-colon for the period and adding after the semi-colon the following words:

provided, however, that the Tax Commissioner may appoint one deputy at an annual salary not to exceed Five Thousand Five Hundred Dollars (\$5,500.00) per annum.

Section 10. That Section 130, of said Chapter 6, of the Revised Code of the State of Delaware, 1935, being Code Section 164 of said Code, be and the same is hereby amended by striking out the words "Two Hundred Dollars", appearing in the seventh line of paragraph (b) of said Section 130, and substituting in lieu thereof the following:

Five Hundred Dollars

Section 11. That the provisions of this Act in so far as they relate to taxable income, exempt income and allowable deductions, shall be given effect in returns of income for the entire taxable year beginning January 1, 1947, and all taxable years thereafter, unless otherwise specifically provided herein.

Section 12. That all acts or parts of acts inconsistent with this Act are hereby repealed only to the extent of such inconsistency.

Approved April 9, 1947.

CHAPTER 246

TRANSFERRING CERTAIN SUMS TO GENERAL FUND

AN ACT AUTHORIZING THE STATE TREASURER TO TRANSFER CERTAIN FUNDS TO THE CREDIT OF THE GENERAL FUND OF THE STATE OF DELAWARE PROVIDING FOR THE PAYMENT OF CHECKS DRAWN AGAINST SAID ACCOUNT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That no check or order issued by James P. Truss as State Tax Commissioner shall be paid or honored by the depository upon which such check or order was drawn after the expiration of two years of the date of such check or order.

Section 2. That the State Treasurer be and is hereby authorized to transfer to the credit of the General Fund of the State of Delaware the amount of One Hundred Thirty-four Dollars and thirty-three cents (\$134.33) representing deposits for repayment of Franchise tax which sum is now on deposit at the Farmers Bank at Dover to the credit of an account known as State Tax Department, Special #4, James P. Truss, State Tax Commissioner, in the amount of Forty-five Dollars (\$45.00) and representing deposits for the repayment of State Income Tax and War Emergency Tax on deposit at the Farmers Bank at Wilmington to the credit of an account known as James P. Truss, State Tax Commissioner, Special in the amount of Eighty-nine Dollars and thirty-three cents (\$89.33).

Section 3. That all acts or parts of acts inconsistent with this Act are hereby repealed only to the extent of such inconsistency.

Approved April 9, 1947.

CHAPTER 247

INCREASING SALARIES OF ATTORNEY GENERAL
AND DEPUTIES**AN ACT TO AMEND CHAPTER 12 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, RELATING TO
"SALARIES OF STATE OFFICERS" BY INCREASING
THE SALARIES OF THE ATTORNEY GENERAL AND
DEPUTIES ATTORNEY GENERAL.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 12 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by striking out and repealing 370. Sec. 8. thereof, and inserting in lieu thereof the following new Section to be known as 370. Sec. 8.:

370. Sec. 8. Attorney General:—The salary of the Attorney General shall be Sixty-five Hundred Dollars per annum.

Section 2. That Chapter 12 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing 371. Sec. 9. thereof, and inserting in lieu thereof the following new Section to be known as 371. Sec. 9.:

371. Sec. 9. Deputies Attorney General:—The salary of the Chief Deputy Attorney General shall be Thirty-seven Hundred and Fifty Dollars per annum. the salary of the Deputy Attorney General to be resident in New Castle County shall be Three Thousand Five Hundred Dollars per annum, the salaries of each of the Deputies to be resident in Kent and Sussex Counties respectively, shall be Three Thousand Dollars per annum.

The two additional Deputies appointed by the Attorney General by authority of Law to give assistance to the State Tax Department and to perform other duties, shall each receive a salary of Twenty-five Hundred Dollars per annum.

Section 3. Insofar as any of the provisions of this Act are inconsistent with the provisions of any other law, the provisions of this Act shall be controlling.

Approved April 9, 1947.

CHAPTER 248

INCREASING SALARY OF CHANCELLOR, CHIEF JUSTICE
AND ASSOCIATE JUDGES**AN ACT AMENDING CHAPTER 12 OF THE REVISED CODE
OF DELAWARE, 1935, RELATING TO SALARIES OF
STATE OFFICERS BY PROVIDING FOR AN INCREASE
IN THE SALARY OF THE CHANCELLOR, CHIEF JUSTICE
AND ASSOCIATE JUDGES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That 369. Sec. 7 of Chapter 12 of the Revised Code of Delaware, 1935, be and the same is hereby amended by striking out 369. Sec. 7, Chapter 12 and inserting in lieu thereof a new Section to be known as 369. Sec. 7. as follows:

369. Sec. 7. Judiciary: The Chancellor, Chief Justice and Associate Judges Shall Receive as Compensation for Their Service the Following Salaries, To Wit:—The Chancellor shall receive annually the sum of Twelve Thousand Five Hundred Dollars; the Chief Justice shall receive annually the sum of Twelve Thousand Five Hundred Dollars; the Associate Judges shall each receive annually the sum of Twelve Thousand Dollars.

The Chancellor shall receive as compensation for reporting the decisions of the Court of Chancery, the Orphans' Court in the respective counties, and appeals in the Supreme Court from the Court of Chancery, and Orphans' Court, the additional sum of Two Hundred Dollars per annum; and the Associate Judge resident in Kent County shall receive as additional compensation for reporting all other decisions of the Supreme Court, the Superior Court, the Court of General Sessions and the Court of Oyer and Terminer in the respective counties, the additional sum of Two Hundred Dollars per annum.

Approved April 9, 1947.

CHAPTER 249

INCREASING SALARY OF VICE CHANCELLOR

AN ACT AMENDING CHAPTER 148, VOLUME 42, LAWS OF DELAWARE, AS AMENDED, CREATING THE OFFICE OF VICE CHANCELLOR, BY INCREASING THE SALARY OF THE VICE CHANCELLOR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 148, Volume 42, Laws of Delaware, entitled, "An Act Creating the Office of Vice Chancellor of the State of Delaware, Defining His Duties, Powers, Term, Qualifications, and Salary", as amended by Chapter 244, Volume 45, Laws of Delaware, 1945, be and the same is hereby further amended by striking out of Section 4 thereof the words and figures,

"Eighty-five hundred dollars (\$8,500.00)"

and inserting in lieu thereof the words and figures,

"Ten Thousand Dollars (\$10,000.00)"

Approved April 9, 1947.

CHAPTER 250

AUTHORIZING SUSSEX COUNTY CORONER TO
APPOINT A DEPUTY

AN ACT TO AMEND CHAPTER 49 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, ENTITLED,
"CORONERS", BY AUTHORIZING THE CORONER OF
SUSSEX COUNTY TO APPOINT A DEPUTY CORONER.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 49 of the Revised Code of Delaware, 1935, as amended, be further amended by enacting and inserting after 1540. Sec. 22. a new section to be entitled 1540A. Sec. 22A., as follows:

1540A. Sec. 22A. **Deputy Coroner for Sussex County:—**
The Coroner of Sussex County may select and employ one Deputy at an annual salary of Six Hundred Dollars (\$600.00), payable monthly by the Levy Court as salaries of the deputies in county offices are paid.

Section 2. That Chapter 53 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding at the end of the eighth paragraph of 1598. Sec. 7. thereof as amended by Chapter 101, Volume 44, Laws of Delaware, 1943, the following sentence:

The Coroner may also employ one Deputy at a salary of Six Hundred Dollars (\$600.00) per year, as provided by 1540A. Sec. 22A. of Chapter 49, Revised Code of Delaware, 1935.

Approved April 9, 1947.

CHAPTER 251

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

AN ACT TO AMEND CHAPTER 66 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring therein):

Section 1. That Chapter 66 of the Revised Code of Delaware, 1935, as amended, be and it hereby is further amended by striking out 2292. Sec. 35. thereof and inserting in lieu thereof a new 2292. Sec. 35. reading as follows:

2292. Sec. 35. Authorization to Open Branch Office; Paid in Capital and Surplus Required; Fee for Certificate; No Branch to be Established Except Authorized by Charter:—Any bank or trust company may open a branch office or place of business, or branch offices or places of business in this State after January 1, 1934, if authorized so to do by its charter, the Board of Bank Incorporation and the certificate of the State Bank Commissioner. No such certificate shall be issued by the said Commissioner unless he shall be satisfied that the applicant has a paid in capital stock to an amount equivalent to at least Twenty-five Thousand Dollars for each office or place of business then established by the applicant in this State and for each branch sought to be established and a surplus to an amount equivalent to at least Twenty-five Thousand Dollars for each office or place of business then established by the applicant in this State and for each branch sought to be established.

A fee of Fifty Dollars for every such certificate shall be required by the Commissioner before issuing the same.

Nothing in this Section contained shall deny any bank or trust company the right to continue a branch office or branch offices if such branch office or branch offices shall have been

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actually established prior to the first day of January, 1934, and business continuously conducted thereat since such establishment.

Section 2. That Chapter 66 of the Revised Code of Delaware, 1935, as amended, be and it hereby is further amended by striking out 2389. Sec. 132. thereof and inserting in lieu thereof a new 2389. Sec. 132. reading as follows:

2389. Sec. 132. Branch Office; How to Open:—If any such corporation shall desire to open a branch office in the State of Delaware, it shall make application to the Board of Bank Incorporation who shall inquire into the matter, and if the said Board shall deem that the public convenience will be served thereby and that there is good and sufficient reason that the corporation should have such branch office, the said Board shall issue a written permission for the opening of such branch office.

Section 3. That Chapter 66 of the Revised Code of Delaware, 1935, as amended, be and it hereby is further amended by striking out 2399. Sec. 142. thereof, as amended, and inserting in lieu thereof a new 2399. Sec. 142. reading as follows:

2399. Sec. 142. Amendments to Charter or Certificate of Incorporation; Mergers or Consolidations:—Any bank or trust company in this State whether created under this Article or by Special Act of the Legislature, may, from time to time, when and as desired, amend its charter or certificate of incorporation by addition to its corporate powers and purposes, or diminution thereof, or both (provided such additional corporate power or purpose be such as is authorized or contemplated under any of the foregoing provisions of this Article); or by increasing or decreasing its authorized capital stock (provided that such increase or decrease be expressly approved by the State Bank Commissioner, and provided also that the capital stock shall not be reduced below the amount prescribed by Section 125 of this Article as capital stock for a corporation organized under this Article); by changing the number or par value of its shares of stock, provided, that the par value of the stock shall not be more than One Hundred Dollars nor less than Twenty-five Dollars a

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share); or by changing its corporate title (provided that the word "savings" shall not be used in the amended title, and provided further that no corporation not authorized to do a trust company business shall use the word "trust" in its amended title); and by increasing or decreasing its number of directors, provided that in no case shall the whole number of directors be less than five; and any or all such changes or alterations may be effected by one certificate of amendment; provided that no amendment shall contain a provision which it would not have been lawful and proper to insert in an original certificate of incorporation granted or issued under this Article, but nothing contained in this Section shall prohibit the increase in capital stock of a trust company organized prior to the passage of this Article to any amount which may be less than required in Section 125.

In the case of an increase of capital stock, the amendment may provide that the increased stock may in whole or in part be disposed of without being offered to the stockholders, but in no case shall any stock be issued except upon payment in full in cash.

The procedure for such an amendment and the manner of making and effecting the same shall be as prescribed in Chapter 65 of the Revised Code of Delaware, 1935, as amended, for the amendment of the certificate of incorporation of a corporation having a capital stock. Provided, however, that no certificate of amendment shall be received or filed by the Secretary of State or be deemed or held to be effective unless and until the proposed certificate of amendment shall have been submitted to the Board of Bank Incorporation and shall have been approved both in substance and in form by said Board.

Subject to the provisions of Section 57 of this Chapter, any two or more banks or trust companies doing business in this State and organized under the provisions of this Article, or existing under the laws of this State, may merge or consolidate into a single corporation which may be any one of the merging or consolidating banks or trust companies. The procedure for the merger or consolidation of banks or trust companies doing

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business in this State and the legal effect of any such merger or consolidation and the manner of making and effecting the same shall be as prescribed in Chapter 65 of the Revised Code of Delaware, 1935, as amended, for the merger or consolidation of two or more corporations organized under the provisions of said Chapter 65, as amended, or existing under the laws of this State, for the purpose of carrying on any kind of business: Provided, however, that no agreement of merger or consolidation of banks or trust companies doing business in this State shall be received or filed by the Secretary of State or be deemed or held to be effective unless and until the proposed agreement of merger or consolidation shall have been submitted to the Board of Bank Incorporation and shall have been approved both in substance and in form by said Board and also shall have been approved by the State Bank Commissioner.

Approved April 9, 1947.

CHAPTER 252

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

CHARGES MADE BY BANK EXAMINER

AN ACT TO AMEND CHAPTER 66 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "BANKS, SAVING SOCIETIES AND TRUST COMPANIES", WITH REFERENCE TO CHARGES MADE BY THE STATE BANK COMMISSIONER FOR EXAMINATIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 66 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of the sixth paragraph of 2357. Sec. 100. thereof, the part so stricken out being the last paragraph of said Section.

Approved April 9, 1947.

CHAPTER 253

WOODS HAVEN SCHOOL

PAYMENTS BY LEVY COURTS

AN ACT TO AMEND CHAPTER 70 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "REFORMATORY AND CHARITABLE INSTITUTIONS", WITH REFERENCE TO PAYMENTS BY THE RESPECTIVE LEVY COURTS OF THE THREE COUNTIES IN THE STATE OF DELAWARE TO WOODS HAVEN SCHOOL FOR GIRLS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 70 of the Revised Code of Delaware, 1935, as amended, be further amended by striking out and repealing all of 2522. Sec. 24. of said Chapter 70 and by inserting and enacting in lieu thereof a new 2522. Sec. 24. as follows, to-wit:

2522. Sec. 24. **Annual Appropriations by Levy Courts of the Several Counties:**—The Levy Courts of the three counties of the State of Delaware shall respectively pay monthly to Woods Haven School for Girls for the maintenance and instruction of each girl committed to its custody from the respective counties, the moneys as provided in Section 19 of Chapter 43 of the Revised Code of Delaware, 1935.

In the same manner and to the same amount as the Levy Court of New Castle County pays said school for the maintenance and instruction of girls committed to its custody as aforesaid, the Levy Court of Kent County and the Levy Court of Sussex County shall appropriate and pay monies for the maintenance and instruction of girls committed to its custody from those counties respectively.

Approved April 9, 1947.

CHAPTER 254

LIMITATION OF ACTIONS

**AN ACT RELATING TO THE LIMITATION OF ACTIONS
WHERE THE CAUSE OF ACTION ARISES OUTSIDE OF
THE STATE OF DELAWARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. Where a cause of action arises outside of this State, an action can not be brought in a court of this State to enforce such cause of action after the expiration of whichever is shorter of the time limited by the law of this State, or the time limited by the law of the state or country where the cause of action arose, for bringing an action upon such cause of action, except that where the cause of action originally accrued in favor of a person who at the time of such accrual was a resident of this State, the time limited by the law of this State shall apply. This act shall be applicable as well to causes of action which have already arisen, but to enforce which action has not yet been brought, as to causes of action hereafter arising.

Section 2. This act shall take effect immediately upon becoming law.

Approved April 9, 1947.

CHAPTER 255

COURTS

TRANSFER OF CIVIL ACTIONS, SUITS, OR OTHER PROCEEDINGS
TO DIFFERENT COURTS

AN ACT TO AMEND CHAPTER 108 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "GENERAL PROVISIONS CONCERNING COURTS", BY PROVIDING FOR THE TRANSFER OF CIVIL ACTIONS, SUITS OR OTHER PROCEEDINGS IN THE COURTS OF THE STATE OF DELAWARE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 108 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by inserting after 4235. Sec. 1. of Chapter 108 a new section to be known as 4235A. Sec. 1A:

4235A. Sec. 1A. No civil action, suit or other proceeding, pending at the approval hereof or hereafter brought in any court of this State shall be dismissed solely on the ground that such court is without jurisdiction of the subject matter, either in the original proceeding or on appeal, but the proceeding may be transferred to an appropriate court for hearing and determination, provided that the party otherwise adversely affected shall, within 60 days after the order denying the jurisdiction of the first court has become final, file in that court a written election of transfer, discharge all costs accrued in the first court, and make the usual deposit for costs in the second court. All or part of the papers filed, or copies thereof, and a transcript of the entries, in the court where the proceeding was originally instituted shall be delivered in accordance with the rules or special orders of such court, by the prothonotary, clerk, or register of that court to the prothonotary, clerk or register of the court to which the proceeding is transferred. The latter court shall thereupon entertain such applications in the proceeding as con-

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TRANSFER OF CIVIL ACTIONS, SUITS OR OTHER PROCEEDINGS
TO DIFFERENT COURTS

form to law and to the rules and practice of such court, and may by rule or special order provide for amendments in pleadings and for all other matters concerning the course of procedure for hearing and determining the cause as justice may require. For the purpose of laches or of any statute of limitations, the time of bringing the proceeding shall be deemed to be the time when it was brought in the first court. This statute shall be liberally construed so as to permit and facilitate transfers of proceedings between the courts of this State in the ends of justice.

Approved April 9, 1947.

CHAPTER 255

COURTS

TRANSFER OF CIVIL ACTIONS, SUITS, OR OTHER PROCEEDINGS
TO DIFFERENT COURTS**AN ACT TO AMEND CHAPTER 108 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, ENTITLED
"GENERAL PROVISIONS CONCERNING COURTS", BY
PROVIDING FOR THE TRANSFER OF CIVIL ACTIONS,
SUITS OR OTHER PROCEEDINGS IN THE COURTS OF
THE STATE OF DELAWARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 108 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by inserting after 4235. Sec. 1. of Chapter 108 a new section to be known as 4235A. Sec. 1A:

4235A. Sec. 1A. No civil action, suit or other proceeding, pending at the approval hereof or hereafter brought in any court of this State shall be dismissed solely on the ground that such court is without jurisdiction of the subject matter, either in the original proceeding or on appeal, but the proceeding may be transferred to an appropriate court for hearing and determination, provided that the party otherwise adversely affected shall, within 60 days after the order denying the jurisdiction of the first court has become final, file in that court a written election of transfer, discharge all costs accrued in the first court, and make the usual deposit for costs in the second court. All or part of the papers filed, or copies thereof, and a transcript of the entries, in the court where the proceeding was originally instituted shall be delivered in accordance with the rules or special orders of such court, by the prothonotary, clerk, or register of that court to the prothonotary, clerk or register of the court to which the proceeding is transferred. The latter court shall thereupon entertain such applications in the proceeding as con-

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form to law and to the rules and practice of such court, and may by rule or special order provide for amendments in pleadings and for all other matters concerning the course of procedure for hearing and determining the cause as justice may require. For the purpose of laches or of any statute of limitations, the time of bringing the proceeding shall be deemed to be the time when it was brought in the first court. This statute shall be liberally construed so as to permit and facilitate transfers of proceedings between the courts of this State in the ends of justice.

Approved April 9, 1947.

CHAPTER 256

WITNESSES AND EVIDENCE

AN ACT TO AMEND CHAPTER 129 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, IN RELATION TO WITNESSES AND EVIDENCE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 129 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by repealing all of 4707. Sec. 22 thereof, and enacting and substituting in lieu thereof the following:

4707. Sec. 22. **Subpoena Duces Tecum, When Issued; Failure of Witness to Appear or to Produce Books, Enforcement of Obedience to Process:**—When a commission is issued by any Court of the United States, or of any State, District or Territory in the United States, or of any foreign country for the taking of testimony of witnesses at any place within the State of Delaware before any commissioner, examiner or master or where a notice has been given, or any other proceeding has been taken for the purpose of taking testimony, within the State of Delaware, pursuant to the laws of the state, district, territory or country wherein the Court is located, or pursuant to the laws of the United States, if it is a Court of the United States, the Prothonotary of the Superior Court for any County, on the presentation of a verified petition of the party desiring to take such testimony or his attorney, setting forth such commission, notice or other proceeding, shall issue a subpoena or subpoenas duces tecum for such witness, commanding him to appear before the commissioner, examiner, or master named in the commission, or before the officer designated in the commission, notice or other paper by his title of office, at a time and place stated in the subpoena; and if any witness after being duly served with such subpoena and after being tendered the legal witness fees, including mileage, as provided for attendance before the Superior Court, refuses or neglects to appear or to produce the books and documents required by said subpoena,

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or after appearing refuses to testify, and such refusal or neglect is proven to the satisfaction of the Superior Court or any Judge thereof in vacation, such Court or Judge may proceed to enforce obedience to the process or punish the disobedience in the same manner as the said Superior Court may proceed, in case of disobedience to process of subpoena issued by said Court, and in addition thereto the party in whose behalf such witness is summoned shall have all rights and actions against such witness as the aggrieved party now has, as provided in Section 1 of this Chapter, provided however, that no subpoena duces tecum shall be issued by the Prothonotary except upon an order of the Superior Court or any Judge thereof in vacation entered upon an application therefor to such Court or Judge, upon such notice to such witnesses as to the Court and Judge may seem proper.

Approved April 9, 1947.

CHAPTER 257

STATE HIGHWAY DEPARTMENT

AUTHORITY TO ENTER UPON PROPERTY FOR EXAMINATION
AND SURVEY

AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, RELATING TO AUTHORITY OF STATE HIGHWAY DEPARTMENT TO ENTER UPON LAND OR WATER OF ANY PERSON FOR PURPOSE OF EXAMINATION AND SURVEY FOR PROPOSED HIGHWAY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 166 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by enacting and adding thereto a new paragraph as follows:

The Department shall have authority to enter upon the lands or waters of any person for the purpose of making such examination and surveys for proposed highways as shall be required to be made in the selection of the most advantageous route for such highway, but subject at all times to responsibility for all and any damages which shall be done to the property of any such person or persons.

Approved April 9, 1947.

CHAPTER 258

DEPARTMENT OF HEALTH

REPEALING PROVISION FOR ISSUING FREE CERTIFICATES
TO PERSONS IN ARMED FORCES

**AN ACT TO REPEAL CHAPTER 85 OF VOLUME 45 OF THE
LAWS OF THE STATE OF DELAWARE.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 85 of Volume 45 of the Laws of
the State of Delaware be and the same is hereby repealed.

Approved April 9, 1947.

CHAPTER 259

DEPARTMENT OF HEALTH

TO PROVIDE VITAL STATISTICS CERTIFICATES WITHOUT
CHARGE TO PERSONS IN ARMED FORCES

**AN ACT REQUIRING COPIES, OR CERTIFIED COPIES, OF
CERTIFICATES OF BIRTH, MARRIAGE OR DEATH OF
ANY PERSON OR PERSONS NOW OR HEREAFTER
SERVING, OR WHO HAVE SERVED, IN THE ARMED
FORCES OF THE UNITED STATES, TO BE FURNISHED
TO CERTAIN PERSONS WITHOUT CHARGE OR FEE,
AND TO PROVIDE FOR THE POSTING OF COPIES OF
THIS ACT.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the State Registrar of Vital Statistics and the local registrar of the City of Wilmington shall furnish free of charge to a veteran, or a relative of a veteran, a certified copy of an individual birth, death or marriage certificate of a veteran, or a relative of a veteran, provided that the said veteran, or relative of a veteran, shall state that such certificate is essential to the settlement of a claim involving the interests of a veteran or relatives of a veteran, and provided further that all subsequent copies of such certificates (the first copy of which was issued free as herein provided) will be issued only at the statutory fee. The said State Registrar and the said local registrar shall not request or demand any evidence of the necessity of the certificate other than the statement of the veteran or relative of a veteran, as the case may be.

Section 2. A copy of this Act shall be so placed within the Office of the State Registrar and the office of the local registrar that the said copy shall be clearly visible to all individuals entering the respective offices.

Approved April 9, 1947.

CHAPTER 260

AUTHORIZING LEVY COURT OF SUSSEX COUNTY
TO DRAIN DITCHES

AN ACT AUTHORIZING THE LEVY COURT OF SUSSEX COUNTY TO APPROPRIATE THE SUM OF TEN THOUSAND DOLLARS (\$10,000.00) TO BE EXPENDED FOR THE PURCHASE OF MACHINERY AND/OR EQUIPMENT TO BE USED IN DRAINAGE OF DITCHES IN SUSSEX COUNTY AND GIVING THE LEVY COURT OF SUSSEX COUNTY POWER AND AUTHORITY TO MAKE CONTRACTS FOR USE OF SAME IN SAID COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The Levy Court of Sussex County is hereby authorized to appropriate and expend a sum of money not exceeding Ten Thousand Dollars (\$10,000.00) for the purchase of machinery and/or equipment to be used in clearing banks, removing obstructions, straightening, cleaning out and draining ditches in Sussex County.

Section 2. The said Levy Court is authorized and empowered to enter into agreements with persons, departments, agencies, boards and commissions of the State government for the use of said machinery by such persons, departments, agencies, boards or commissions of the State government for the purposes stated in Section 1 hereof, and to receive rentals for the use of said machinery.

Section 3. The said Levy Court when fully repaid for the moneys expended for the machinery described herein is hereby authorized and empowered to sell and dispose of such machinery.

Section 4. The Levy Court of Sussex County is hereby authorized and empowered to also enter into an agreement for the sale of the machinery purchased as aforesaid with any person, department, agency, board or commission of the State government for the sale of such machinery under an arrangement whereby the rental agreed upon for the use of the machinery

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TO DRAIN DITCHES

and received by the Levy Court shall be considered part payment on the purchase price of such machinery so that when the said Levy Court has been fully repaid under such an agreement for the money by it expended, the title to the machinery will be vested in the department, agency, board or commission of the State government making such rental payments under an agreement for purchase described herein.

Approved April 9, 1947.

CHAPTER 261

STATE MUSEUM

AN ACT TO PROVIDE FOR THE CREATION OF A STATE MUSEUM IN THE CITY OF DOVER.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That upon the approval of this act authority is hereby given to the Public Archives Commission of the State of Delaware to establish under its jurisdiction a division to be known as the Delaware State Museum to be located in the City of Dover.

Section 2. The purpose of the said Delaware State Museum shall be to collect and preserve for the citizens of Delaware permanent exhibits of some phases of the social, cultural, industrial, agricultural and commercial life of the State and of its natural resources; to prepare and circulate for use in the schools of the State, portable exhibits of instructive material which will aid in a better understanding of the past and present activities in Delaware; and also to convey to the visitors to the State a better understanding of the contributions of Delaware toward the growth of our Nation, from the time of our first settlement to the present day.

Section 3. The said Public Archives Commission is hereby authorized to accept in the name of the State of Delaware, a deed of gift and full title to the Old Presbyterian Church, an important historic building, in the City of Dover, situated on the west side of Governor's Avenue between Bank Lane and North Street on U. S. Route 13, for the purpose of housing the said Delaware State Museum. This act provides further that, if the State of Delaware, through the Public Archives Commission, fails to utilize this building as a museum within a period of three years from the date of approval of this act, or if at a future time the State ceases to use this building as a State Museum, the said property shall be re-conveyed to the Dover Presbyterian Church.

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Section 4. The aforesaid Public Archives Commission is authorized and empowered to solicit and receive funds for the purpose of restoring and equipping the old Presbyterian Church as a museum. It is also empowered to collect and prepare suitable exhibits, purchase necessary supplies, tools and equipment and to employ a curator and other personnel necessary for the adequate operation of the said Delaware State Museum.

Section 5. The expenses of water, electric lights, heating fuel and janitor's supplies shall be paid from the funds of the State Building Custodian and the State Insurance Commissioner shall provide adequate insurance for protection against fire, smoke, theft and wind damage.

Section 6. Nothing in the text of this act shall be construed to mean that the Public Archives Commission is empowered or obliged to establish the Delaware State Museum in its present quarters in the Hall of Records.

Section 7. All acts or parts of acts inconsistent with this Act are hereby repealed to the extent of such inconsistency only.

Approved April 9, 1947.

CHAPTER 262

APPROPRIATION

STATE BOARD OF HEALTH FOR CANCER CONTROL

AN ACT APPROPRIATING MONEY TO THE STATE BOARD OF HEALTH FOR CANCER CONTROL.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the sum of Twenty-five Thousand Dollars (\$25,000.00) be and the same is hereby appropriated to the State Board of Health annually for the fiscal years beginning July 1, 1947, and beginning July 1, 1948, to be used for the detection of cancer, for research in cancer, and for other purposes related to cancer prevention and control.

Section 2. Within ninety (90) days after the passage of this Act, the State Board of Health shall create an Advisory Committee consisting of eleven members selected from the Delaware Branch of the American Cancer Society, Delaware Medical Society, the Delaware Hospital Association and the Wilmington Board of Health. The Advisory Committee shall serve in a consultant capacity to the State Board of Health relative to the promotion and operation of the cancer program of the State Board of Health as herein provided.

Section 3. This Bill shall be known as a Supplementary Appropriation Act, and the money hereby appropriated shall be paid out of the General Fund of the State Treasury from sums not otherwise appropriated.

Approved April 9, 1947.

CHAPTER 263

APPROPRIATION

DELAWARE COMMISSION OF SHELL FISHERIES FOR IMPROVEMENT
OF JOE FLOGGER SHOAL

AN ACT MAKING AN APPROPRIATION TO THE DELAWARE COMMISSION OF SHELL FISHERIES FOR THE PRESERVATION AND IMPROVEMENT OF THE OYSTER BEDS AND GROUNDS OF THE STATE OF DELAWARE KNOWN AS "JOE FLOGGER SHOAL" AND "BROADKILN RIVER".

WHEREAS, under the provisions of Chapter 151, Volume 44, Laws of Delaware, and the rules and regulations adopted by The Delaware Commission of Shell Fisheries under the authority of said Chapter, the said Commission is authorized and directed to provide for the preservation and improvement of the oyster beds and grounds of the State of Delaware; and

WHEREAS, it is desirable to preserve and improve the oyster beds and grounds of the State known as "Joe Flogger Shoal" and "Broadkiln River"; NOW, THEREFORE,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other moneys appropriated to the Delaware Commission of Shell Fisheries, there is hereby appropriated to the said Commission, the sum of Ten Thousand Dollars (\$10,000.00) for the purpose of defraying the cost of preserving and improving the oyster beds and grounds of the State known as "Joe Flogger Shoal" and "Broadkiln River". The said sum shall be divided and spent equally on each of the said areas. In the event that any part of the said sum shall remain unexpended on June 30, 1948, the said part so unexpended shall revert to the General Fund of the State.

Section 2. This Bill shall be known as a Supplementary Appropriation Act, and the moneys hereby appropriated shall be paid out of the General Fund of the State Treasury from funds not otherwise appropriated.

Approved April 9, 1947.

CHAPTER 264

APPROPRIATION

STATE BOARD OF AGRICULTURE

FOR CONTROL AND ERADICATION OF BANG'S DISEASE

AN ACT TO AMEND CHAPTER 21 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, BY PROVIDING FOR FURTHER ASSISTANCE IN THE CONTROL AND ERADICATION OF BANG'S DISEASE IN CATTLE BY MAKING PROVISION FOR THE VACCINATION OF CALVES AND TESTING OF HERDS; POWERS AND DUTIES OF THE STATE BOARD OF AGRICULTURE; DUTIES OF VETERINARIANS; PENALTIES FOR NON-COMPLIANCE WITH AND VIOLATIONS OF, PROVISIONS OF THE ACT; AND APPROPRIATIONS TO CARRY OUT THE PURPOSES OF THE ACT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 21 of the Revised Code of Delaware, 1935, as amended, be further amended by enacting and inserting after 678. Sec. 111. thereof a new Section to be designated 678A. Sec. 111A., as follows, to-wit:

678A. Sec. 111A. Vaccination of Calves; Authority of State Board of Agriculture; Movement of Cattle Restricted; When; Exception; Report by Veterinarian; Testing of Herd; Appropriation:—

(a) Upon request of an owner or owners, the State Board of Agriculture shall cause any calves in the State to be vaccinated against brucellosis (Bang's disease) when such calves are between the ages of four and eight months except calves in herds under State and Federal supervision for the control and eradication of brucellosis and operating under the test and slaughter plan, which calves need not be vaccinated unless the owners so desire. Upon such request, the State Board of Agriculture shall assign a Federal, State, or accredited veterinarian to administer the vaccine furnished by said Board. The State Board of Agri-

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culture shall make the necessary rules and regulations for handling and use of the vaccine. On and after January 1, 1951, it shall be unlawful to move cattle from any premise for other than immediate slaughter unless they have been vaccinated prior to reaching the age of eight months or unless such animal is negative to an authorized blood agglutination test for brucellosis made within a period of thirty (30) days prior to the date of removal; provided, however, that such restriction shall not apply to animals in accredited brucellosis-free herds.

(b) Each veterinarian so authorized to make vaccinations shall report to the State Board of Agriculture on forms furnished by it all such vaccinations. Any veterinarian not complying with the rules made by the State Board of Agriculture for the control and eradication of Bang's Disease shall not be assigned any further State work.

(c) Any owner of any herd not under State and Federal test and slaughter plan may apply to the State Board of Agriculture for a herd test for brucellosis for the purpose of determining the extent of infection in his herd so long as not more than one such test is made on any one herd in any one year. Any and all reactors found as a result of such test shall be tagged with react tags, the numbers of which, shall be recorded, and shall remain on the premises unless removed for immediate slaughter at an establishment where Federal meat inspection is maintained. At the time of such removal, such reactors shall be branded with a "B" brand not more than three nor less than two inches high and a permit issued for removal to slaughter. Reactors found in informational tests shall not be eligible to indemnity unless the owner adopts the test and slaughter plan and fully observes the regulations governing operation under such plan.

(d) In addition to any other monies appropriated to the State Board of Agriculture, an additional sum of Twelve Thousand Dollars (\$12,000.00) is appropriated to the said Board for

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the purposes of paying for the vaccination of calves as described herein, for the testing of cattle for Bang's Disease, and to carry into effect the general purposes of this Act. Of the sum so appropriated, Six Thousand Dollars (\$6,000.00) shall be available for the fiscal year beginning July 1, 1947, and ending June 30, 1948, and a like sum of Six Thousand Dollars (\$6,000.00) shall be available for the fiscal year beginning July 1, 1948, and ending June 30, 1949. Such sums shall be paid out by the State Treasurer upon warrants duly approved by the proper officers of the State Board of Agriculture.

(e) This Act shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 9, 1947.

CHAPTER 265

APPROPRIATION

INSURANCE COMMISSIONER

AN ACT TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS TO THE STATE INSURANCE COMMISSIONER IN RESPECT TO THE INSURANCE COMMISSIONER'S SALARY, SALARIES OF CERTAIN ASSISTANTS AND FOR CERTAIN EXPENSES OF THE OFFICE OF SAID COMMISSIONER.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to the sums that are or may be appropriated to the State Insurance Commissioner for the fiscal years ending June 30, 1948 and June 30, 1949, there is hereby further appropriated for said fiscal years the following:

| | Year Ending June 30, | |
|---------------------------------------|----------------------|------------|
| | 1948 | 1949 |
| Salary of Commissioner | \$1,000.00 | \$1,000.00 |
| Salaries and Wages of Employees | 2,220.00 | 2,220.00 |
| Office expense | 500.00 | 500.00 |
| Travel | 1,000.00 | 1,000.00 |
| Equipment | 500.00 | 500.00 |

Section 2. That this Act shall be taken to be a Supplementary Appropriation Act, and the money hereby appropriated shall be paid out of the General Fund of the State Treasury.

Approved April 10, 1947.

CHAPTER 266

MAKING UNIFORM THE LAW RELATING TO TRUST
RECEIPTS AND PLEDGES OF PERSONAL PROPERTYAN ACT RELATING TO TRUST RECEIPTS AND PLEDGES
OF PERSONAL PROPERTY UNACCOMPANIED BY
POSSESSION IN THE PLEDGEE AND TO MAKE UNI-
FORM THE LAW WITH REFERENCE THERETO.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. (Definitions):—In this Act, unless the context
or subject matter otherwise requires:

"Buyer in the ordinary course of trade" means a person
to whom goods are sold and delivered for new value and who
acts in good faith and without actual knowledge of any limita-
tion on the trustee's liberty of sale, including one who takes by
conditional sale or under a pre-existing mercantile contract with
the trustee to buy the goods delivered, or like goods, for cash or
on credit. "Buyer in the ordinary course of trade" does not in-
clude a pledgee, or mortgagee, a liener, or a transferee in bulk.

"Document" means any document of title to goods.

"Entruster" means the person who has or directly or by
agent takes a security interest in goods, documents or instru-
ments under a trust receipt transaction, and any successor in
interest of such person. A person in the business of selling goods
or instruments for profit, who at the outset of the transaction
has, as against the buyer, general property in such goods or
instruments, and who sells the same to the buyer on credit, re-
taining title or other security interest under a purchase money
mortgage or conditional sales contract or otherwise, is excluded.

"Goods" means any chattels personal other than: money,
things in action, or things so affixed to land as to become a part
thereof.

"Instrument" means

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- (a) Any negotiable instrument as defined in the Uniform Negotiable Instruments Law and amendments thereto, or
- (b) any certificate of stock, or bond or debenture for the payment of money issued by a public or private corporation as part of a series, or
- (c) any interim, deposit, or participation certificate or receipt, or other credit or investment instrument of a sort marketed in the ordinary course of business or finance, of which the trustee, after the trust receipt transaction, appears by virtue of possession and the face of the instrument to be the owner. "Instrument" does not include any document of title to goods.

"Lien creditor" means any creditor who has acquired a specific lien on the goods, documents or instruments by attachment, levy, or by any other similar operation of law or judicial process, including a distraining landlord.

"New value" includes new advances or loans made, or new obligation incurred, or the release or surrender of a valid and existing security interest, or the release of a claim to proceeds under Section 10; but "new value" shall not be construed to include extensions or renewals of existing obligations of the trustee, nor obligations substituted for such existing obligations.

"Person" means, as the case may be, an individual, trustee, receiver or other fiduciary, partnership, corporation, business trust, or other association, and two or more persons having a joint or common interest.

"Possession", as used in this Act with reference to possession taken or retained by the entruster, means actual possession of goods, documents or instruments, or, in the case of goods, such constructive possession as, by means of tags or signs or other outward marks placed and remaining in conspicuous places, may reasonably be expected in fact to indicate to the third party in question that the entruster has control over or interest in the goods.

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"Purchase" means taking by sale, conditional sale, lease, mortgage, or pledge, legal or equitable.

"Purchaser" means any person taking by purchase. A pledgee, mortgagee or other claimant of a security interest created by contract is, insofar as concerns his specific security, a purchaser and not a creditor.

"Security interest" means a property interest in goods, documents or instruments, limited in extent to securing performance of some obligation of the trustee or of some third person to the entruster, and includes the interest of a pledgee, and title, whether or not expressed to be absolute, whenever such title is in substance taken or retained for security only.

"Transferee in bulk" means a mortgagee or a pledgee or a buyer of the trustee's business substantially as a whole.

"Trustee" means the person having or taking possession of goods, documents or instruments under a trust receipt transaction, and any successor in interest of such person. The use of the word "Trustee" herein shall not be interpreted or construed to imply the existence of a trust or any right or duty of a trustee in the sense of equity jurisprudence other than as provided by this Act.

"Value" means any consideration sufficient to support a simple contract. An antecedent or preexisting claim, whether for money or not, and whether against the transferror or against another person, constitutes value where goods, documents or instruments are taken either in satisfaction thereof or as security therefor.

Section 2. (What Constitutes Trust Receipt Transaction and Trust Receipt):—

1. A trust receipt transaction within the meaning of this Act is any transaction to which an entruster and a trustee are parties, for one of the purposes set forth in Subsection 3, whereby

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- (a) the entruster or any third person delivers to the trustee goods, documents or instruments in which the entruster (i) prior to the transaction has, or for new value (ii) by the transaction acquires or (iii) as the result thereof is to acquire promptly, a security interest; or
- (b) the entruster gives new value in reliance upon the transfer by the trustee to such entruster of a security interest in instruments which are actually exhibited to such entruster, or to his agent in that behalf, at a place of business of either entruster or agent, but possession of which is retained by the trustee;

provided, that the delivery under paragraph (a) or the giving of new value under paragraph (b) either

- (i) be against the signing and delivery by the trustee of a writing designating the goods, documents or instruments concerned, and reciting that a security interest therein remains in or will remain in, or has passed to or will pass to, the entruster, or
- (ii) be pursuant to a prior or concurrent written and signed agreement of the trustee to give such a writing.

The security interest of the entruster may be derived from the trustee or from any other person, and by pledge or by transfer of title or otherwise.

If the trustee's rights in the goods, documents or instruments are subject to a prior trust receipt transaction, or to a prior equitable pledge, Section 9 and Section 3, respectively, of this Act, determine the priorities.

2. A writing such as is described in Subsection 1, paragraph (i), signed by the trustee, and given in or pursuant to such a transaction, is designated in this Act as a "trust receipt". No further formality of execution or authentication shall be necessary to the validity of a trust receipt.

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3. A transaction shall not be deemed a trust receipt transaction unless the possession of the trustee thereunder is for a purpose substantially equivalent to any one of the following:

- (a) in the case of goods, documents or instruments, for the purpose of selling or exchanging them, or of procuring their sale or exchange; or
- (b) in the case of goods or documents, for the purpose of manufacturing or processing the goods delivered or covered by the documents, with the purpose of ultimate sale, or for the purpose of loading, unloading, storing, shipping, trans-shipping or otherwise dealing with them in a manner preliminary to or necessary to their sale; or
- (c) in the case of instruments, for the purpose of delivering them to a principal, under whom the trustee is holding them, or for consummation of some transaction involving delivery to a depositary or registrar, or for their presentation, collection, or renewal.

Section 3. (Attempted Creation or Continuance of Pledge Without Delivery or Retention of Possession):—

1. An attempted pledge or agreement to pledge not accompanied by delivery of possession, which does not fulfill the requirements of a trust receipt transaction, shall be valid as against creditors of the pledgor only as follows:

- (a) to the extent that new value is given by the pledgee in reliance thereon, such pledge or agreement to pledge shall be valid as against all creditors with or without notice, for ten days from the time the new value is given;
- (b) to the extent that the value given by the pledgee is not new value, and in the case of new value after the lapse of ten days from the giving thereof, the pledge shall have validity as against lien creditors without

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notice, who become such as prescribed in Section 8, only as of the time the pledgee takes possession, and without relation back.

2. Purchasers (including entrusters) for value and without notice of the pledgee's interest shall take free of any such pledge or agreement to pledge unless, prior to the purchase, it has been perfected by possession taken.

3. Where, under circumstances not constituting a trust receipt transaction, a person, for a temporary and limited purpose, delivers goods, documents, or instruments, in which he holds a pledgee's or other security interest, to the person holding the beneficial interest therein, the transaction has like effect with a purported pledge for new value under this Section.

Section 4. (Contract to Give Trust Receipt):—

1. A contract to give a trust receipt, if in writing and signed by the trustee, shall, with reference to goods, documents or instruments thereafter delivered by the entruster to the trustee in reliance on such contract, be equivalent in all respects to a trust receipt.

2. Such a contract shall as to such goods, documents, or instruments be specifically enforceable against the trustee; but this subsection shall not enlarge the scope of the entruster's rights against creditors of the trustee as limited by this Act.

Section 5. (Validity Between the Parties):—

Between the entruster and the trustee the terms of the trust receipt shall, save as otherwise provided by this Act, be valid and enforceable. But no provision for forfeiture of the trustee's interest shall be valid except as provided in Subsection 5 of Section 6.

Section 6. (Repossession, and Entruster's Rights on Default):—

1. The entruster shall be entitled as against the trustee to possession of the goods, documents or instruments on default, and as may be otherwise specified in the trust receipt.

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2. A entruster entitled to possession under the terms of the trust receipt or of Subsection 1 may take such possession without legal process, whenever that is possible without breach of the peace.

3. (a) After possession taken, the entruster shall, subject to subdivision (b) and Subsection 5, hold such goods, documents or instruments with the rights and duties of a pledgee.

(b) An entruster in possession may, on or after default, give notice to the trustee of intention to sell, and may, not less than five days after the serving or sending of such notice, sell the goods, documents or instruments for the trustee's account, at public or private sale, and may at a public sale himself become a purchaser. The proceeds of any such sale, whether public or private, shall be applied (i) to the payment of the expenses thereof, (ii) to the payment of the expenses of re-taking, keeping and storing the goods, documents, or instruments, (iii) to the satisfaction of the trustee's indebtedness. The trustee shall receive any surplus and shall be liable to the entruster for any deficiency. Notice of sale shall be deemed sufficiently given if in writing, and either (i) personally served on the trustee, or (ii) sent by post-paid ordinary mail to the trustee's last known business address.

(c) A purchaser in good faith and for value from an entruster in possession takes free of the trustee's interest, even in a case in which the entruster is liable to the trustee for conversion.

4. Surrender of the trustee's interest to the entruster shall be valid, on any terms upon which the trustee and the entruster may, after default, agree.

5. As to articles manufactured by style or model, the terms of the trust receipt may provide for forfeiture of the trustee's interest, at the election of the entruster, in the event of the trustee's default, against cancellation of the trustee's then remaining indebtedness; provided that in the case of the original maturity of such an indebtedness there must be can-

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celled not less than 80% of the purchase price to the trustee, or of the original indebtedness, whichever is greater; or, in the case of a first renewal, not less than 70%, or, in the case of a second or further renewal, not less than 60%.

Section 7. (General Effect of Entruster's Filing or Taking Possession):—

1. (a) If the entruster within the period of thirty days specified in subsection 1 of Section 8 files as in this Act provided, such filing shall be effective to preserve his security interest in documents or goods against all persons, save as otherwise provided by Sections 8, 9, 10, 11, 14 and 15 of this Act.

(b) Filing after the lapse of the said period shall be valid; but in such event, save as provided in subdivision 2 (b) of Section 9, the entruster's security interest shall be deemed to be created by the trustee as of the time of such filing, without relation back, as against all persons not having notice of such interest.

2. The taking of possession by the entruster shall, so long as such possession is retained, have the effect of filing, in the case of goods, or documents; and of notice of the entruster's security interest to all persons, in the case of instruments.

Section 8. (Validity Against Creditors):—

1. The entruster's security interest in goods, documents or instruments under the written terms of a trust receipt transaction, shall without any filing be valid as against all creditors of the trustee, with or without notice, for thirty days after delivery of the goods, documents or instruments to the trustee, and thereafter except as in this act otherwise provided.

But where the trustee at the time of the trust receipt transaction has and retains instruments, the thirty days shall be reckoned from the time such instruments are actually shown to the entruster, or from the time that the entruster gives new value under the transaction, whichever is prior.

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2. Save as provided in Subsection 1, the entruster's security interest shall be void as against lien creditors who become such after such thirty day period and without notice of such interest and before filing.

(a) Where a creditor secures the issuance of process which within a reasonable time after such issuance results in attachment of or levy on the goods, he is deemed to have become a lien creditor as of the date of the issuance of the process.

(b) Unless prior to the acquisition of notice by all creditors filing has occurred or possession has been taken by the entruster, (i) an assignee for the benefit of creditors, from the time of assignment, or (ii) a receiver in equity from the time of his appointment, or (iii) a trustee in bankruptcy or judicial insolvency proceedings from the time of filing of the petition in bankruptcy or judicial insolvency by or against the trustee, shall, on behalf of all creditors, stand in the position of a lien creditor without notice, without reference to whether he personally has or has not, in fact, notice of the entruster's interest.

Section 9. (Limitations on Entruster's Protection Against Purchasers):—

1. (Purchasers of Negotiable Documents or Instruments)

(a) Nothing in this Act shall limit the rights of purchasers in good faith and for value from the trustee of negotiable instruments or negotiable documents, and purchasers taking from the trustee for value, in good faith, and by transfer in the customary manner instruments in such form as are by common practice purchased and sold as if negotiable, shall hold such instruments free of the entruster's interest; and filing under this Act shall not be deemed to constitute notice of the entruster's interest to purchasers in good faith and for value of such documents or instruments, other than transferees in bulk.

(b) The entrusting (directly, by agent, or through the intervention of a third person) of goods, documents or instruments by an entruster to a trustee, under a trust receipt transaction

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or a transaction falling within Section 3 of this Act, shall be equivalent to the like entrusting of any documents or instruments which the trustee may procure in substitution, or which represent the same goods or instruments or the proceeds thereof, and which the trustee negotiates to a purchaser in good faith and for value.

2. Where a purchaser from the trustee is not protected under Subsection 1 hereof, the following rules shall govern:

(a) Sales by trustee in the ordinary course of trade)

(i) Where the trustee, under the trust receipt transaction, has liberty of sale and sells to a buyer in the ordinary course of trade, whether before or after the expiration of the thirty day period specified in Subsection 1 of Section 8 of this Act, and whether or not filing has taken place, such buyer takes free of the entruster's security interest in the goods so sold, and no filing shall constitute notice of the entruster's security interest to such a buyer.

(ii) No limitation placed by the entruster on the liberty of sale granted to the trustee shall affect a buyer in the ordinary course of trade, unless the limitation is actually known to the latter.

(b) (Purchasers other buyers in the ordinary course of trade)

In the absence of filing, the entruster's security interest in goods shall be valid, as against purchasers, save as provided in this Section; but any purchaser, not a buyer in the ordinary course of trade, who, in good faith and without notice of the entruster's security interest and before filing, either (i) gives new value before the expiration of the thirty day period specified in Subsection 1 of Section 8, or (ii) gives value after said period, and who in either event before filing also obtains delivery of goods from a trustee shall hold the subject matter of his purchase free of the entruster's security interest; but a transferee in bulk can take only under (ii) of this subdivision (b).

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(c) (Liberty of Sale)

If the entruster consents to the placing of goods subject to a trust receipt transaction in the trustee's stock in trade or in his sale or exhibition rooms, or allows such goods to be so placed or kept such consent or allowance shall have like effect as granting the trustee liberty of sale.

3. As to all cases covered by this section the purchase of goods, documents or instruments on credit shall constitute a purchase for new value, but the entruster shall be entitled to any debt owing to the trustee and any security therefor, by reason of such purchase; except that the entruster's right shall be subject to any set-off or defense valid against the trustee and accruing before the purchaser has actual notice of the entruster's interest.

Section 10. (Entruster's Right to Proceeds):—

Where, under the terms of the trust receipt transaction, the trustee has no liberty of sale or other disposition, or, having liberty of sale or other disposition, is to account to the entruster for the proceeds of any disposition of the goods, documents or instruments, the entruster shall be entitled, to the extent to which and as against all classes of persons as to whom his security interest was valid at the time of disposition by the trustee, as follows:

(a) to the debts described in Section 9 (3); and also

(b) to any proceeds or the value of any proceeds (whether such proceeds are identifiable or not) of the goods, documents or instruments, if said proceeds were received by the trustee within ten days prior to either application for appointment of a receiver of the trustee, or the filing of a petition in bankruptcy or judicial insolvency proceedings by or against the trustee, or demand made by the entruster for prompt accounting; and to a priority to the amount of such proceeds or value; and also

(c) to any other proceeds of the goods, documents or instruments which are identifiable, unless the provision for ac-

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counting has been waived by the entruster by words or conduct; and knowledge by the entruster of the existence of proceeds, without demand for accounting made within ten days from such knowledge, shall be deemed such a waiver.

Section 11. (Liens in Course of Business Good Against Entruster):—

Specific liens arising out of contractual acts of the trustee with reference to the processing, warehousing, shipping or otherwise dealing with specific goods in the usual course of the trustee's business preparatory to their sale shall attach against the interest of the entruster in said goods as well as against the interest of the trustee, whether or not filing has occurred under this act; but this Section shall not obligate the entruster personally for any debt secured by such lien; nor shall it be construed to include the lien of a landlord.

Section 12. (Entruster Not Responsible on Sale by Trustee):—

An entruster holding a security interest shall not, merely by virtue of such interest or of his having given the trustee liberty of sale or other disposition, be responsible as principal or as vendor under any sale or contract to sell made by the trustee.

Section 13. (Filing and Refiling Concerning Trust Receipt Transactions Covering Documents or Goods):—

1. Any entruster undertaking or contemplating trust receipt transactions with reference to documents or goods is entitled to file with the Secretary of State a statement, signed by the entruster and the trustee, containing:

(a) a designation of the entruster and the trustee, and of the chief place of business of each within this State, if any; and if the entruster has no place of business within the State, a designation of his chief place of business outside the state; and

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(b) a statement that the entruster is engaged, or expects to be engaged, in financing under trust receipt transactions the acquisition of goods by the trustee; and

(c) a description of the kind or kinds of goods covered or to be covered by such financing.

2. The following form of statement (or any other form of statement containing substantially the same information) shall suffice for the purposes of this act:

"Statement of Trust Receipt Financing"

"The entruster,whose chief place of business within this state is at, (or who has no place of business within this State and whose chief place of business outside this State is at.....) is or expects to be engaged in financing under trust receipt transactions the acquisition by the trustee,.....whose chief place of business within this State is at.....of goods of the following description: (coffee, silk, automobiles, or the like).

(Signed).....Entruster

(Signed).....Trustee."

3. It shall be the duty of the filing officer to mark each statement filed with a consecutive file number, and with the date and hour of filing, and to keep such statement in a separate file; and to note and index the filing in a suitable index, indexed according to the name of the trustee and containing a notation of the trustee's chief place of business as given in the statement. The fee for such filing shall be One Dollar.

4. Presentation for filing of the statement described in subsection 1, and payment of the filing fee, shall constitute filing under this Act, in favor of the entruster, as to any documents or goods falling within the description in the statement which

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are within one year from the date of such filing, or have been, within thirty days previous to such filing, the subject-matter of a trust receipt transaction between the entruster and the trustee.

5. At any time before expiration of the validity of the filing, as specified in subsection 4, a like statement, or an affidavit by the entruster alone, setting out the information required by subsection 1, may be filed in like manner as the original filing. Any filing of such further statement or affidavit shall be valid in like manner and for like period as an original filing, and shall also continue the rank of the entruster's existing security interest as against all junior interests. It shall be the duty of the filing officer to make, file and index the further statement or affidavit in like manner as the original.

Section 14. (Limitations on Extent of Obligation Secured):

As against purchasers and creditors, the entruster's security interest may extend to any obligation for which the goods, documents or instruments were security before the trust receipt transaction, and to any new value given or agreed to be given as a part of such transaction; but not, otherwise, to secure past indebtedness of the trustee; nor shall the obligation secured under any trust receipt transaction extend to obligations of the trustee to be subsequently created.

Section 15. (Act Not Applicable to Certain Transactions):

This Act shall not apply to single transactions of legal or equitable pledge, not constituting a course of business, whether such transactions be unaccompanied by delivery of possession, or involve constructive delivery, or delivery and re-delivery, actual or constructive, so far as such transactions involve only an entruster who is an individual natural person, and a trustee entrusted as a fiduciary with handling investments or finances of the entruster; nor shall it apply to transactions of bailment or consignment in which the title of the bailor or consignor is not retained to secure an indebtedness to him of the bailee or consignee.

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Section 16. (Election Among Filing Statutes):—

As to any transaction falling within the provisions both of this Act and of any other Act requiring filing or recording, the entruster shall not be required to comply with both, but by complying with the provisions of either at his election may have the protection given by the Act complied with; except that buyers in the ordinary course of trade as described in subsection 2 of Section 9, and lienors as described in Section 11, shall be protected as therein provided, although the compliance of the entruster be with the filing or recording requirements of another act.

Section 17. (Cases Not Provided For):—

In any case not provided for in this Act the rules of law and equity, including the law merchant, shall continue to apply to trust receipt transactions and purported pledge transactions not accompanied by delivery of possession.

Section 18. (Uniformity of Interpretation):—

This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the States which enact it.

Section 19. (Constitutionality):—

If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Section 20. (Short Title):—

This Act may be cited as the Uniform Trust Receipts Act.

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Section 21. (Inconsistent Laws Repealed):—

(Except so far as they are applicable to trust receipt and pledge transactions entered into before this Act takes effect, the following acts shall be and hereby are repealed.....; and) all acts or parts of acts inconsistent with this Act are hereby repealed.

Section 22. (Time and Manner of Taking Effect):—

This Act shall take effect immediately upon approval by the Governor.

Approved April 10, 1947.

CHAPTER 267

PROVIDING THAT ADDRESS OF GRANTEE SHALL BE
PLACED UPON DEEDS LEFT FOR RECORDING

AN ACT TO AMEND CHAPTER 92 OF THE REVISED CODE
OF DELAWARE, 1935, AS AMENDED, BY PROVIDING
THAT THE ADDRESS OF THE GRANTEE SHALL BE
PLACED UPON DEEDS LEFT FOR RECORDING.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Section 20, Chapter 92 of the Revised
Code of Delaware, 1935, being Code Section 3677., be and the
same is hereby further amended by adding at the end of the said
section the following sentence:

"It shall be the duty of any one leaving for record any deed con-
veying lands and tenements to place upon or attach to the said
deed the address of the Grantee".

Approved April 10, 1947.

CHAPTER 268

COURT OF CHANCERY

INVESTMENTS OF TRUSTEES, GUARDIANS AND
OTHER FIDUCIARIES**AN ACT TO AMEND CHAPTER 117, REVISED CODE OF
DELAWARE, 1935, AS AMENDED, RELATING TO IN-
VESTMENTS OF TRUSTEES, GUARDIANS AND OTHER
FIDUCIARIES.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 117 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of sub-division (e) of 4401. Sec. 35. thereof and enacting and inserting in lieu thereof the following, to wit:

4401. Sec. 35 (e). A bank or trust company authorized to act in a fiduciary capacity and acting in such a capacity, other than merely as agent, may invest funds held by it for investment as fiduciary in fractional undivided interests in a common fund composed exclusively of property permitted for investment by the terms of sub-division (b) of this Section 35 and of cash, provided that such common fund shall have been created and is managed exclusively by such bank or trust company as trustee under a written plan of which an original executed by such bank or trust company has been filed and is recorded in the office of the Register in Chancery of the County in which such bank or trust company is located; and also provided that under such a plan it shall not be permitted that any such fractional interests shall at any time be owned by any other than such bank or trust company as fiduciary under will, under agreement, or for an insane person, or as guardian of a minor, or as executor or administrator; and also provided that at least once each three months, as of a predetermined date, the fair value of the assets of the common fund shall be ascertained, and that a fractional interest in such common fund may only be acquired or redeemed as of such predetermined date by payment, in the case of ac-

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quisition, of an amount in cash or United States Savings Bonds Series G at par therefor, or in the case of redemption, of an amount in cash or in kind, or partly in cash and partly in kind, equal to its proportionate part of the fair value of the common fund, provided, however, that a reasonable period, not to exceed seven days, following each such predetermined date may be used to make the computations necessary to determine the value of the common fund and of the participations therein, and also provided that at the time of the making of an investment in such common fund there shall not be held in the fund any asset which, because of the nature of such asset, the bank or trust company might not then properly purchase as an investment for the fiduciary account for which the investment in the common fund is made; and also provided that the bank or trust company shall not charge a fee or commission to the common fund for its management or receive any fees or commissions from any fiduciary estate which may be invested in a common fund other than those it would be entitled to receive if such estate were otherwise invested.

Approved April 10, 1947.

CHAPTER 269

DECLARATORY JUDGMENTS

AN ACT TO AMEND CHAPTER 128 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, CONCERNING PLEADING AND PRACTICE IN CIVIL ACTIONS BY PROVIDING FOR DECLARATORY JUDGMENTS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 128 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by enacting and adding a new section after 4685. Sec. 43. thereof, said new section to be styled 4685A. Sec. 43A., as follows:

4685A. Sec. 43A. **Declaratory Judgments:**—In cases of actual controversy (except with respect to divorce or annulment of marriage) the Superior Court, the Supreme Court, the Court of Chancery and the Orphans Court shall have power, upon petition, declaration, complaint or other appropriate pleadings to declare rights and other legal relations of any interested party petitioning for such declaration, whether or not further relief is or could be prayed, and such declaration shall have the force and effect of a final judgment or decree and be reviewable as such.

Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application shall be by petition to a court having jurisdiction to grant the relief. If the application be deemed sufficient, the court shall, on reasonable notice, require any adverse party, whose rights have been adjudicated by the declaration, to show cause why further relief should not be granted forthwith.

When a proceeding under this Act involves the determination of an issue of fact, such issue may be tried and determined in the same manner as issues of fact are tried and determined in other civil actions in the court in which the proceeding is pending.

Approved April 10, 1947.

CHAPTER 270

MOTOR VEHICLES

REGULATION OF TAXICABS

AN ACT TO AMEND CHAPTER 165 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, TO PROVIDE FOR LICENSING OF OWNERS AND OPERATORS OF TAXICABS AND SPECIAL REQUIREMENTS THEREFOR INCLUDING COMPULSORY INSURANCE, SPECIAL INSPECTION AND MARKING OF TAXICABS AND PENALTIES FOR VIOLATIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be further amended by adding the following new sections to be known and styled as follows:

MOTOR VEHICLES—ARTICLE 10

OWNERS AND OPERATORS OF TAXICABS

5719a. Sec. 181a. **Registration of Taxicabs; Title:—(a)** It shall be unlawful for any person to drive or move or for an owner knowingly to permit to be driven or moved upon any highway any taxicab which is not registered as a taxicab and for which a certificate of title has not been issued or applied for or for which current taxicab registration plates have not been issued as provided in this Act or for which the appropriate fees have not been paid when and as required by this Article, except that when application accompanied by the proper fee has been made for taxicab registration and certificate of title for a vehicle the same may be operated temporarily pending complete registration upon displaying a duplicate application duly verified or other evidence of such application, or otherwise under rules and regulations promulgated by the Department. No motor vehicle registered hereunder shall be required to register under 5545. Sec. 7. of this Revised Code, as amended, provided such motor vehicle is used solely and exclusively in transporting a person or persons for hire in the accommodation of the public.

CHAPTER 269

DECLARATORY JUDGMENTS

AN ACT TO AMEND CHAPTER 128 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, CONCERNING PLEADING AND PRACTICE IN CIVIL ACTIONS BY PROVIDING FOR DECLARATORY JUDGMENTS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 128 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by enacting and adding a new section after 4685. Sec. 43. thereof, said new section to be styled 4685A. Sec. 43A., as follows:

4685A. Sec. 43A. **Declaratory Judgments:**—In cases of actual controversy (except with respect to divorce or annulment of marriage) the Superior Court, the Supreme Court, the Court of Chancery and the Orphans Court shall have power, upon petition, declaration, complaint or other appropriate pleadings to declare rights and other legal relations of any interested party petitioning for such declaration, whether or not further relief is or could be prayed, and such declaration shall have the force and effect of a final judgment or decree and be reviewable as such.

Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application shall be by petition to a court having jurisdiction to grant the relief. If the application be deemed sufficient, the court shall, on reasonable notice, require any adverse party, whose rights have been adjudicated by the declaration, to show cause why further relief should not be granted forthwith.

When a proceeding under this Act involves the determination of an issue of fact, such issue may be tried and determined in the same manner as issues of fact are tried and determined in other civil actions in the court in which the proceeding is pending.

Approved April 10, 1947.

CHAPTER 270

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Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be further amended by adding the following new sections to be known and styled as follows:

MOTOR VEHICLES—ARTICLE 10

OWNERS AND OPERATORS OF TAXICABS

5719a. Sec. 181a. **Registration of Taxicabs; Title:—**(a) It shall be unlawful for any person to drive or move or for an owner knowingly to permit to be driven or moved upon any highway any taxicab which is not registered as a taxicab and for which a certificate of title has not been issued or applied for or for which current taxicab registration plates have not been issued as provided in this Act or for which the appropriate fees have not been paid when and as required by this Article, except that when application accompanied by the proper fee has been made for taxicab registration and certificate of title for a vehicle the same may be operated temporarily pending complete registration upon displaying a duplicate application duly verified or other evidence of such application, or otherwise under rules and regulations promulgated by the Department. No motor vehicle registered hereunder shall be required to register under 5545. Sec. 7. of this Revised Code, as amended, provided such motor vehicle is used solely and exclusively in transporting a person or persons for hire in the accommodation of the public.

MOTOR VEHICLES

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5719b. Sec. 181b. **Application for Registration of Taxicabs; Financial Responsibility:**—(a) Every owner of a vehicle desiring registration hereunder shall make application to the Department for the registration thereof as a taxicab and/or issuance of a certificate of title for such vehicle upon the appropriate form or forms furnished by the Department. Every such application shall bear the signature of the owner written with pen and ink and said signature shall be acknowledged by the owner before a person authorized to administer oaths. Said application shall contain:

(1) The name and address of the owner. When the owner is an individual, the address shall be the bona fide residence of the individual. When the owner is a partnership, association, trust or corporation, the address shall be that of the principal office thereof wherever located, together with the address of the principal office within the State of Delaware, if any.

(2) A description of the vehicle, including insofar as the hereinafter specified data may exist with respect to a given vehicle, the make, model, type of body, the number of cylinders, the serial number of the vehicle, the engine or other number of the vehicle and whether new or used, and, if a new vehicle, the date of sale by the manufacturer or dealer to the person intending to operate such vehicle;

(3) A statement of the applicant's title and of all liens or encumbrances upon said vehicle, the names and addresses of all persons, firms or corporations, having any interest therein, the nature of every such interest, and the name and address of the person, firm or corporation, to whom the certificate of title shall be delivered by the Department;

(4) Such further information as may reasonably be required by the Department to enable it to determine whether the vehicle is lawfully entitled to registration and the owner entitled to a certificate of title.

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When such application refers to a new vehicle purchased from a dealer the application shall be accompanied by the bill of sale or other written statement of the sale by the dealer, which bill of sale or statement shall show any lien upon said vehicle retained by the dealer.

(b) In the event that the vehicle, for which registration is applied, is a specially constructed, reconstructed, or a foreign vehicle, such fact shall be stated in the application, and with reference to every foreign vehicle which has been registered theretofore outside of this State the owner shall surrender to the Department all registration cards, and certificates of title or other evidence of such foreign registration or ownership as may be in his possession or under his control, except where in the course of interstate operation of a vehicle registered in another state it is desirable to retain registration of said vehicle in such other State, such applicant need not surrender but shall submit for inspection said evidences of such foreign registration or ownership and the Department upon a proper showing may register said vehicle in this State, but shall not issue a certificate of title therefor.

(c) The Department shall not register or re-register a vehicle as a taxicab until and unless the owner shall produce evidence to the Department of his financial ability during the registration period to respond in damages as follows:

(1) If he apply for registration of taxicabs, in the sum of at least Ten Thousand Dollars for any one person injured or killed and in the sum of Fifty Thousand Dollars for any number more than one injured or killed in any one accident and in the sum of Five Thousand Dollars for any injury to property in any one accident.

(2) If he apply for the registration of more than one taxicab then in the foregoing sums for one taxicab and Ten Thousand Dollars additional for each taxicab in excess of one; but it shall be sufficient for the owner to demonstrate his ability to respond in damages in the sum of One Hundred Thousand Dollars for any number of taxicabs.

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The Department shall cancel the registration of any taxicab whenever the Department ascertains that the owner has failed or is unable to comply with the requirements of this subsection (c).

(d) Where the engine of a taxicab which has been registered under the provisions of this Act is replaced by a new or used engine, on which the engine number has been destroyed, removed, covered, altered, or defaced, it shall be the duty of the owner of such motor vehicle to apply to the Department, on a form furnished by the Department, for a special number to be placed on said engine. The application shall be accompanied by the certificate of title issued for said taxicab and shall contain a description of such taxicab and facts pertaining thereto, as the Department may require. Said application shall be sworn to by the owner before a notary public or other officer empowered to administer oaths. Upon receipt of such an application, the Department shall issue to the owner a special number for said taxicab and a corrected certificate of title and, when such special number has been placed on the engine, it shall become and thereafter be the lawful engine number of said taxicab.

5719c. Sec. 181c. Temporary Taxicab Registration Permits:—The Department may, in its discretion, grant temporary or limited taxicab registration permits, in no case to be valid for more than fifteen (15) days and may issue appropriate certificates or other evidence therefor as follows:

(1) When application for a certificate of title has been made accompanied by the proper fee, temporary permit without additional fee may be issued pending action upon such application by the Department.

(2) During suspension of registration because of failure of the vehicle upon inspection to meet the legal performance requirements or equipment standards a temporary permit without additional fee may be issued to allow the vehicle to be driven away to be repaired and returned for inspection, or to be driven to a storage place.

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(3) When a registration has expired, a temporary permit may be issued upon the payment of a fee of One Dollar in addition to the regular fee for re-registration so that the vehicle may be driven to a place for repair, if necessary, and to an inspection station preparatory to re-registration.

(4) For the movement of unregistered vehicles by persons entitled to move the same, when it is not proposed to secure a certificate of title or a transfer of title to such vehicle, a temporary permit may be issued for which a fee of One Dollar shall be charged.

(5) For moving vehicles of which the ownership has been transferred by process of law as provided in Section 191 of this Article a permit may be issued without charge.

5719d. Sec. 181d. Register of Applicants to be Kept by Department:—The Department shall file each application received and when satisfied as to the genuineness and regularity thereof, and that the applicant is entitled thereto, shall register the vehicle therein described, and the owner thereof, in suitable books or on index cards as follows:

(1) Under a distinctive taxicab registration number assigned to the vehicle, hereinafter referred to as the taxicab registration number. Such taxicab registration number may consist of a numerical figure or figures, or of a letter or letters with a numerical figure or figures;

(2) Under the name of the owner;

(3) Under the engine number and name of the vehicle.

5719e. Sec. 181e. Department to Issue Certificate of Title and Taxicab Registration Card:—The Department upon registering a taxicab shall issue a taxicab registration card, and a certificate of title if no certificate of title has been issued therefor pursuant to 5548. Sec. 10. of the Revised Code, as amended.

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(b) The taxicab registration card shall be delivered to the owner and shall contain the date issued, the name and address of the owner, the taxicab registration number assigned to the vehicle, such description of the vehicle as may be determined by the Motor Vehicle Commissioner, the period for which the vehicle is registered, a form for endorsement of notice to the Department upon transfer of the vehicle, and a space in which the signature of the owner must be placed to validate the card.

(c) Excepting the period of registration the certificate of title issued hereunder shall contain upon the face thereof the identical information required upon the face of the registration card and in addition thereto, a statement of the owner's title and of the liens and encumbrances upon the vehicle therein described as noted in the application, and whether possession is held by the owner under a lease, contract of conditional sale, or other like agreement. Said certificate shall bear thereon the seal of the Department.

(d) The certificate of title shall also contain a space for the signature of the owner in order to validate the same and forms for assignment of title or interest and warranty thereof by the owner with a space for notation of liens and encumbrances upon the vehicle at the time of a transfer.

(e) The certificate of title shall be delivered to the registered owner unless another person has been named to receive the certificate in the application, in which event the certificate shall be delivered to such person.

5719f. Sec. 181f. **Taxicab Registration Card to be Carried:**—The taxicab registration card issue for a vehicle required to be registered hereunder shall at all times, while the vehicle is being operated upon a highway within this State, be in the possession of the operator thereof or carried in the vehicle and subject to inspection by any peace officer. Provided, however, a taxicab driver shall be allowed 24 hours to produce the registration card before a conviction can be obtained under this provision, said registration to have been legally issued at a time prior to his or her arrest.

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5719g. Sec. 181g. Number and Registration Plates to be Furnished by the Department:—(a) The Department shall also furnish for each vehicle registered as a taxicab at least one number plate. The Department shall also furnish taxicab registration plates as hereinafter provided. Upon the termination of the lawful use of any such plates, they shall be returned to the Department.

(b) The number plate or plates shall have displayed thereon the taxicab registration number assigned to the vehicle, the name of this State, which may be abbreviated. Each number plate shall bear a distinctive word, letter or marking which shall be designated by the Department for the purpose of identifying taxicabs. The said number plate for each vehicle shall also show, in the manner determined by the Department and as hereinafter provided, the period or expiration thereof for which the vehicle has been registered and the required registration fee paid. Upon the transfer of a vehicle or upon the expiration of registration for any other cause, the number plates assigned to a vehicle shall remain attached thereto.

(c) Such number plates shall be of such design, size, material and colors as the Department may determine and at least one thereof shall be so constructed that registration plates, to be furnished by the Department as provided in this Section, may be conveniently attached or affixed thereto and, when necessary, detached and removed therefrom.

(d) The Department shall furnish for each vehicle registered and upon the payment of the required fees, a registration plate to be attached or affixed to the number plate or plates as provided by sub-section (c) hereof. Such registration plates shall be of such design, size, material and color and shall bear such legend or inscription as the Department may determine, showing the period or expiration date thereof, which expiration date shall be as provided in 5719k. Sec. 181k. of this Chapter.

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(e) There may also be attached to any number plate an additional removable plate of a size and design approved by the Department, which additional plate may show such other data as the Department may approve, provided, however, that no number plate shall have attached thereto any advertising matter, any fictitious numbers, signs or symbols, or any legend of any character, not approved by the Department.

* (h) It shall be unlawful for any person to use or exhibit in a manner or at a time not authorized by this Section, or by the rules and regulations of the Department with respect thereto, any number or registration plates, or accessory plates, or to display or use any unauthorized design, symbol or legend on or attached to any such plates.

5719h. Sec. 181h. **Display of Plates:**—(a) Number plate or plates assigned to a taxicab shall at all times be attached thereto.

(b) Every number plate or plates shall at all times be securely fastened to the vehicle to which it is assigned so as to prevent the plate or plates from swinging and at a height not less than twelve (12) inches from the ground, measuring from the bottom of such plate or plates, in a place or position to be clearly visible, and shall be maintained free from foreign materials and in a condition to be clearly legible.

5719i. Sec. 181i. **Distinguishing Marking of Taxicab:**—Every motor vehicle which is at any time used as a taxicab or which is intended to be used as a taxicab on any highway shall have painted thereupon in distinctive color and shall at all times bear the word "TAXI", in letters having height of at least four inches and a width of at least one inch; said word shall appear on the front and rear of the body of said taxicab and shall be so located that it shall be plainly visible from a height of four feet.

5719j. Sec. 181j. **Registration Period and Renewal:**—(a) A taxicab shall be registered for a period of six (6) months and the effective date of any registration shall be considered the first

* So enrolled

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day of the calendar quarter in which the vehicle is registered and the required fees paid, provided, however, that any time prior to the expiration of the period for which a vehicle is registered, the registration thereof may be renewed to extend from the date of expiration for an additional period of six (6) months and in such event the effective date of the renewed registration shall be considered the first day of the calendar quarter following the period for which the taxicab is currently registered.

(b) A renewal registration of a taxicab for an additional period to take effect at the expiration of the registration thereof may be cancelled on application to the Commissioner at any time before said renewal registration is to take effect, and thereupon the vehicle commissioner shall refund to said owner the registration fee so paid for such renewal registration upon the receipt for cancellation by the said commissioner for any such renewal taxicab registration card and/or taxicab registration plate issued pursuant to such renewal and otherwise cancel any endorsement of such renewal entered on the original card.

(c) Upon registering a taxicab the Department shall furnish a registration plate as provided by 5719g. Sec. 181g. of this Chapter, and upon renewing the registration of any taxicab or upon re-registering any taxicab, the Department shall furnish a new registration plate showing the new registration period or the expiration date thereof and shall issue a new registration card or appropriately endorse the new registration period on the original card.

(d) The registration of a taxicab shall expire at midnight on the last day of the period for which it is registered and the vehicle shall not thereafter be operated upon the highways of this State until it has been re-registered according to law, provided, however, that the provisions of this paragraph shall not apply to the operation of vehicles under temporary or limited permits or certificates as otherwise provided by this Chapter.

5719k. Sec. 181k. Expiration of Registration and Cancellation of Title:—(a) Whenever the owner of a taxicab registered

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under the provisions of this Act, transfers or assigns his title or interest thereto, the registration of such vehicle shall expire.

(b) An owner upon transferring a registered taxicab shall endorse the name and address of the transferee and the date of transfer upon the taxicab registration card issued for such vehicle and shall immediately give or send such card to the Department or an authorized representative thereof, except as provided by subparagraph (d) of this Section.

(c) The transferee before operating or permitting the operation of such taxicab upon a highway, shall apply for a transfer of title, shall obtain the registration of the vehicle, as upon original registration, shall submit the vehicle to inspection and shall obtain new registration plates as provided in this Chapter, provided, however, the transferee may, before operating or permitting the operation of such vehicle upon a highway, apply for and obtain, upon the payment of a fee of One Dollar (\$1.00), a transfer of title and taxicab registration and upon any such application the Department shall issue to the transferee without additional fee or inspection a new certificate of title and a new taxicab registration card which card shall show the same period for which such vehicle was originally registered as a taxicab by the owner and thereafter the transferee may operate such taxicab for the remainder of the period for which it was originally registered and the same taxicab registration plate shall remain affixed to the number plate of such vehicle.

The provisions of this paragraph shall not apply to the operation of vehicles, as provided under subparagraph (d) of this Section, or under temporary or limited permits or certificates as otherwise provided by this Article.

(d) If the transferee be a dealer the owner upon transferring a registered taxicab shall properly endorse the taxicab registration card and deliver it together with the certificate of title properly assigned to the dealer who shall immediately report such transfer to the Department and after reporting such transfer the dealer may operate such vehicle upon the highways

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during the period for which it is currently registered without dealer's plates, solely for the purposes of testing, demonstrating or selling the same, but upon the sale of such vehicle the dealer shall endorse the name and address of the purchaser and the date of transfer upon the said registration card and shall immediately give or send said card to the Department or an authorized representative thereof and the purchaser or transferee of the dealer shall before operating or permitting the operation of such vehicle upon a highway, comply with the provisions of subparagraph (c) of this Section.

(e) Whenever any person, firm or corporation carrying on the business of wrecking or dismantling motor vehicles for resale of parts thereof, shall purchase or otherwise acquire any such taxicab, whether registered or unregistered, for the sole purpose of wrecking or dismantling the same in order to resell the parts thereof, the owner upon transferring any such taxicab shall, in addition to forwarding to the Department the registration card issued for such taxicab as provided by subparagraph (b) of this Section, remove the number plates, and if the vehicle is registered, the registration plates, therefrom, and shall immediately give or send such plates and registration card to the Department or an authorized representative thereof, together with a report that the transferee of such vehicle acquired the same for the sole purpose of wrecking or dismantling such vehicle in order to resell the parts thereof. The said report shall contain the name and address of such transferee and the date of transfer. If the Department is satisfied that the transferee acquired such vehicle for the purpose aforesaid, the title to such vehicle shall be cancelled by the Department and such vehicle shall not thereafter be re-titled or registered in this State.

(f) In the event of the transfer by operation of law of the title or interest of an owner in and to a taxicab as upon inheritance, devise, or bequest, order in bankruptcy, or insolvency, or execution sale, the registration thereof shall expire and the vehicle shall not be operated upon the highways until and unless the person entitled thereto shall apply for and obtain the registration and inspection thereof, and a transfer of title therefor,

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except that the widower or widow, the child or children of any deceased person, and the immediate members of the deceased's family, residing in the household, after giving due and proper notice to the Department in such manner and on such form as may be provided therefor by the Department, may operate such taxicab and the current taxicab registration thereof shall continue in full force and effect until normal expiration thereof at which time the registration of such taxicab shall expire; and excepting further than an administrator, executor, trustee or other representative of the owner, or a sheriff or other officer, or the assignee or legal representative of any such person may operate or cause to be operated any vehicle upon the highways for a distance not exceeding one hundred twenty-five (125) miles from the place where formerly kept by the owner, to a garage, warehouse or other place of keeping or storage, upon displaying upon such vehicle the number plates issued for it and obtaining a temporary or limited permit for such operation as provided by this Article.

(g) Whenever any taxicab for which a title has been issued by the Department, and whether such taxicab be registered or unregistered, shall be removed from this State, whether through transfer or otherwise, for the purpose of retitling the same in another State, the owner thereof, upon transferring and/or removing such vehicle for the purpose aforesaid, shall, in addition to complying with all the other provisions of this Section, remove the taxicab number plate, and if the vehicle is registered as a taxicab, the taxicab registration plate, therefrom, and shall immediately give or send such plate to the Department or an authorized representative thereof, together with a report that such vehicle is to be re-titled in another State. If the Department is satisfied that such taxicab is to be removed from this State for the purpose aforesaid, the title to such taxicab shall be cancelled and the Department shall pay the sum of Fifty cents (\$.50) per plate for each number plate returned to the Department in accordance with the provisions of this sub-paragraph, and said Department shall also refund unto the owner thereof who complies with the provisions of this Section

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the pro-rata proportion of the registration fees for the unexpired period for which said taxicab was so registered.

5719-l. Sec. 181-l. Lost Certificates or Taxi Number Plates; Duplicate to be Obtained:—In the event that any taxicab number plate or taxicab registration card issued hereunder shall be lost, mutilated or shall have become illegible, the person who is entitled thereto shall make immediate application for and obtain a duplicate or substitute therefor upon furnishing information of such fact satisfactory to the Department and upon payment of the required fee.

5719m. Sec. 181m. Department to Suspend Registration Upon Notice of Theft or Embezzlement:—Whenever the owner of any taxicab which has been stolen or embezzled shall file an affidavit of the fact thereof with the Department, the Department shall forthwith suspend the registration of such taxicab and shall not transfer the title of or re-register the same until it has been notified that the owner has recovered such taxicab. Notice given as herein provided shall be effective for the current registration period, but if during that time such vehicle is not recovered a new affidavit to like effect may be filed with the Department and such notice shall be effective for a further period of twelve (12) months. Thereafter like notices may be given effective from year to year thereafter. Every owner who has filed an affidavit of theft or embezzlement, shall immediately notify the Department of the recovery of such vehicle and upon failure so to do within thirty (30) days after such recovery shall be punished as provided in Section 210. of this Chapter.

5719n. Sec. 181n. When Registration Shall be Refused:—The Department shall not grant an application for the registration of a taxicab in any of the following events:

(a) When the applicant is not entitled thereto under the provisions of this Act.

(b) When the applicant has neglected or refused to furnish the Department with the information required in the appropriate official form or to give reasonable additional information required by the Department.

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except that the widower or widow, the child or children of any deceased person, and the immediate members of the deceased's family, residing in the household, after giving due and proper notice to the Department in such manner and on such form as may be provided therefor by the Department, may operate such taxicab and the current taxicab registration thereof shall continue in full force and effect until normal expiration thereof at which time the registration of such taxicab shall expire; and excepting further than an administrator, executor, trustee or other representative of the owner, or a sheriff or other officer, or the assignee or legal representative of any such person may operate or cause to be operated any vehicle upon the highways for a distance not exceeding one hundred twenty-five (125) miles from the place where formerly kept by the owner, to a garage, warehouse or other place of keeping or storage, upon displaying upon such vehicle the number plates issued for it and obtaining a temporary or limited permit for such operation as provided by this Article.

(g) Whenever any taxicab for which a title has been issued by the Department, and whether such taxicab be registered or unregistered, shall be removed from this State, whether through transfer or otherwise, for the purpose of retitling the same in another State, the owner thereof, upon transferring and/or removing such vehicle for the purpose aforesaid, shall, in addition to complying with all the other provisions of this Section, remove the taxicab number plate, and if the vehicle is registered as a taxicab, the taxicab registration plate, therefrom, and shall immediately give or send such plate to the Department or an authorized representative thereof, together with a report that such vehicle is to be re-titled in another State. If the Department is satisfied that such taxicab is to be removed from this State for the purpose aforesaid, the title to such taxicab shall be cancelled and the Department shall pay the sum of Fifty cents (\$.50) per plate for each number plate returned to the Department in accordance with the provisions of this sub-paragraph, and said Department shall also refund unto the owner thereof who complies with the provisions of this Section

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the pro-rata proportion of the registration fees for the unexpired period for which said taxicab was so registered.

5719-l. Sec. 181-l. Lost Certificates or Taxi Number Plates; Duplicate to be Obtained:—In the event that any taxicab number plate or taxicab registration card issued hereunder shall be lost, mutilated or shall have become illegible, the person who is entitled thereto shall make immediate application for and obtain a duplicate or substitute therefor upon furnishing information of such fact satisfactory to the Department and upon payment of the required fee.

5719m. Sec. 181m. Department to Suspend Registration Upon Notice of Theft or Embezzlement:—Whenever the owner of any taxicab which has been stolen or embezzled shall file an affidavit of the fact thereof with the Department, the Department shall forthwith suspend the registration of such taxicab and shall not transfer the title of or re-register the same until it has been notified that the owner has recovered such taxicab. Notice given as herein provided shall be effective for the current registration period, but if during that time such vehicle is not recovered a new affidavit to like effect may be filed with the Department and such notice shall be effective for a further period of twelve (12) months. Thereafter like notices may be given effective from year to year thereafter. Every owner who has filed an affidavit of theft or embezzlement, shall immediately notify the Department of the recovery of such vehicle and upon failure so to do within thirty (30) days after such recovery shall be punished as provided in Section 210. of this Chapter.

5719n. Sec. 181n. When Registration Shall be Refused:—The Department shall not grant an application for the registration of a taxicab in any of the following events:

(a) When the applicant is not entitled thereto under the provisions of this Act.

(b) When the applicant has neglected or refused to furnish the Department with the information required in the appropriate official form or to give reasonable additional information required by the Department.

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(c) When fees required therefor by law have not been paid.

(d) When the vehicle is in an unsafe and unfit condition to be operated upon the highways of this State and when it is not equipped in the manner provided by law.

(e) When it does not appear to the satisfaction of the Commissioner that financial ability required by Section 182 has been established.

57190. Sec. 1810. Inspection, Recision or Suspension of Registration:—(a) The Department shall provide and maintain one or more places in each county of the State, together with such facilities and such number of qualified inspectors as may be required for taxicab registration purposes. The inspection herein provided shall be for the purpose of determining whether such vehicle is in a safe and fit condition to be operated upon the highways of the State, and whether it is equipped in the manner provided by law.

(b) Before the Department shall register, renew the registration of or re-register a taxicab required to be registered under the provisions of this Act, such taxicab shall first be inspected by the Department and determined to be safe and fit for operation and found equipped according to law, provided, however, the Department may waive the inspection requirement of this paragraph with respect to the registration of new motor vehicles.

(c) At any time and notwithstanding the possession of current registration plate, as provided by this Act, the Motor Vehicle Commissioner, or any authorized agent of the Department, or any State Police Officer may, upon reasonable cause, require the owner or operator of a taxicab to stop and submit such taxicab and the equipment to such further inspection and test with reference thereto as may be appropriate. In the event such taxicab is found to be in an unsafe condition or lacking the required equipment, or is not in proper repair and adjustment,

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the officer shall give a written notice to the driver and shall send a copy thereof to the Department, said notice shall require that such taxicab and its equipment be placed in safe condition and in proper repair and adjustment and/or that proper equipment be obtained, and that certificate of inspection and approval for such taxicab be obtained within five (5) days thereafter.

(d) Every owner or driver upon receiving any such notice shall comply therewith and shall within said five (5) days secure an endorsement upon such notice by an inspector of the Department that such taxicab is in safe condition, and properly equipped, and its equipment in proper repair and adjustment, and shall then forward said notice to the Department; provided, however, no person shall operate any such taxicab after receiving a notice with reference thereto as above provided, except as may be necessary to return such vehicle to the residence or the place of business of the owner or driver if within a distance of twenty (20) miles, or to a garage, until said vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this Chapter.

(e) The Department shall rescind, cancel or suspend the registration of a taxicab whenever the person, to whom the registration card or registration or number plate therefor have been issued, shall make or permit to be made any unlawful use of the said card or said plate, or permit the use thereof by a person not entitled thereto.

(f) The Department shall rescind, cancel or suspend the registration of any taxicab if it shall be determined by the said Department that such taxicab should not have been registered in the State of Delaware, or that the person to whom the taxicab registration card or taxicab registration or taxicab number plates therefor have been issued is not the owner of the vehicle or that such person shall have made or permitted to be made illegal use of said motor vehicle or, if when such vehicle being registered only as a taxicab such person shall have made or permitted such vehicle to be used other than in transporting a person or persons for hire in the accommodation of the public; pro-

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vided an appeal may be taken by the said persons from any such decision of said Department, to the Superior Court of the County wherein the said registrant resides.

(g) The Department shall rescind, cancel or suspend the registration of any taxicab and shall rescind, cancel or suspend, and shall take up, the current registration plates of any taxicab which shall be determined by said Department at any time, upon inspection in pursuance of the provisions of this Section to be unsafe or unfit to be operated, or to be not equipped as required by law.

5719p. Sec. 181p. Violations of Registration Provision:
—It shall be unlawful for any person, firm or corporation to commit any of the following acts:

(a) To operate, or for the owner thereof knowingly to permit the operation upon a highway of any taxicab which is not registered as a taxicab or which does not have attached thereto and displayed thereon the taxicab number plate assigned thereto by the Department, and unexpired taxicab registration plate or under temporary or limited permits as otherwise provided by this Act or which does not bear the word "Taxi" as provided in 5719i. Sec. 181i.

(b) To display, or cause or permit to be displayed, or to have in possession, any taxicab registration card, taxicab number plate, or taxicab registration plate, knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered.

(c) To lend to, or knowingly to permit the use by one not entitled thereto, any taxicab registration card, taxicab number plate, or taxicab registration plate, issued to the person so lending or permitting the use thereof.

(d) To fail, or refuse to surrender to the Department upon demand, any taxicab registration card taxicab number plate or taxicab registration plate, which has been suspended, cancelled or revoked as provided in this Act.

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(e) To use a false or fictitious name or address in any application for the registration or inspection of any taxicab or for any renewal or duplicate thereof, or for any certificate or transfer of title, or knowingly to make a false statement, or knowingly to conceal a material fact, or otherwise commit a fraud in any such application.

(f) To drive or move, or for the owner to cause or knowingly to permit to be driven or moved on any highway, any vehicle or combination of vehicles, which is in such unsafe condition as to endanger any person, or which is equipped in any manner in violation of this Chapter; provided, however, the provisions of this Chapter with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors, except as herein made applicable.

(g) To do any act forbidden or fail to perform any act required under this Chapter.

5719q. Sec. 181q. Registration, Title and Other Fees; Contingent Fund for Refund of Renewal Registration Fees:—

(a) There shall be paid to the Department for the registration of motor vehicles as taxicabs the registration and title fees as provided by this Section.

(b) At the time of application for the registration of a motor vehicle as a taxicab, and prior to the issuance of the current registration plates required by this Article, there shall be paid to the Department registration fees according to the following schedule:

(1) For the registration of each motor vehicle as a taxicab as follows: Five Dollars for any such motor vehicle having a gross load weight of four thousand (4000) pounds or less; Seven Dollars for any such motor vehicle having a gross load weight of more than four thousand (4000) pounds. The gross load weight of any motor vehicle covered by this paragraph shall be the weight of the vehicle, exclusive of passengers, as specified in the application.

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(c) The registration fees for vehicles provided by this Section shall be for a period of six (6) months as provided by 5719j. Sec. 181j. of this Act.

(d) Number and registration plates shall be the property of the State of Delaware and shall be furnished by the Department for each registered taxicab without additional cost to the owner, provided, however, that whenever number or registration plates shall be lost, destroyed or effaced in such a manner as not to comply with the provisions of 5719f. Sec. 181f. of this Act new plates shall be furnished by the Department, and the owner shall pay to the Department the sum of One Dollar (\$1.00) for each plate so furnished. The Department shall pay the sum of Fifty Cents (\$.50) per plate for each number plate returned to the Department in accordance with the provisions of 5719k. Sec. 181k. sub-paragraph (e) of this Act.

(e) The fee for issuing a Certificate of Title or transferring a title to a taxicab shall be One Dollar (\$1.00).

(f) The fee for duplicates of certificates of title, certificates of registration or other certificates or permits relating to motor vehicles shall be Fifty Cents (\$.50).

(g) The fee for temporary or limited permits shall be One Dollar (\$1.00) each.

(h) The Department shall retain out of the revenue collected by it a sum sufficient to provide at all times a contingent fund of One Thousand Dollars (\$1,000.00) out of which it shall pay any refunds for renewal registration fees provided for in 5719q. Sec. 181q. of this Chapter; said funds shall be deposited in the financial institution which is the legal depository of the State moneys and shall be disbursable on order of the Motor Vehicle Commissioner.

5719r. Sec. 181r. Taxicab Drivers Must Be Licensed:—
No person shall drive upon any highway of this State any taxicab unless such person upon application has been licensed as a taxicab operator by the Department under the provisions of this Chapter.

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5719s. Sec. 181s. What Persons Shall Not be Licensed:—

(a) No taxicab driver's license shall be issued to any person under the age of twenty-one years.

(b) The Department shall not issue a taxicab driver's license to any person whose license, as operator, chauffeur, or taxicab driver has been suspended during the period for which license was suspended; nor to any person whose license, as operator, chauffeur, or taxicab driver has been revoked under the provisions of this Chapter until the expiration of one year after such license was revoked.

(c) The Department shall not issue a taxicab driver's license to any person who it has determined is a habitual drunkard or is addicted to the use of narcotic drugs.

(d) No taxicab driver's license shall be issued to any applicant who has previously been adjudged insane or an idiot, imbecile, epileptic, or feeble-minded, and who has not at the time of such application been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent, nor then unless the Department is satisfied that such person is competent to operate a motor vehicle with safety to persons and property.

(e) The Department shall not issue a taxicab driver's license to any person when in the opinion of the Department such person is afflicted with or suffering from such physical or mental disability or disease as will serve to prevent such person from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways, nor shall a license be issued to any person who is unable to understand highway warning or direction signs in the English language.

5719t. Sec. 181t. Application for Taxicab Driver's License; What Application Shall Contain; Notary Fees:—(a) Every application for taxicab driver's license shall be made on forms furnished by the Department. The applicant shall permit his fingerprints to be taken and shall submit a photograph of the

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size and type to be designated by the Department. The original application shall be verified by the applicant before a person authorized to administer oaths.

(b) Every application shall state the name, age, sex, and residence address of the applicant, and whether or not the applicant has heretofore been licensed as an operator or chauffeur and if so when and by what State, and whether or not such license has ever been suspended or revoked and if so the date of and reason for such suspension or revocation.

(c) Notaries' Public Fees for administering and certifying, under hand and notarial seal, the necessary oaths or affirmations to an applicant for the registration and titling of a motor vehicle and the necessary operator's license shall not exceed Fifty Cents for the first certification and Twenty-five Cents for each additional certification.

Any Notary Public charging, demanding or receiving a greater fee for the service herein specified, shall be guilty of a misdemeanor and, upon conviction, be fined a sum not greater than Two Hundred Dollars or imprisoned for a period not longer than six months in the discretion of the Court.

(d) Upon receipt of the application and a fee of One Dollar (\$1.00) and after such examination as herein provided, the Motor Vehicle Commissioner of this State may issue, at his discretion, a taxicab driver's license which shall be known as an annual operator's or chauffeur's license and which shall expire on the May 31 next succeeding the date of its issuance.

5719u. Sec. 181u. Examination of Applicants; Examination Every Year:—(a) The Department shall examine every applicant for taxicab driver's license before issuing any such license, and the Department shall before granting a renewal of such license re-examine every holder of such license, except as otherwise provided in subdivision (b) of this Section. The Department shall examine the applicant as to his physical and mental qualifications to operate a motor vehicle in such manner

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as not to jeopardize the safety of persons or property and as to whether any facts exist which would bar the issuance of a license under Section 54. of this Chapter, but such examination shall not include investigation of any facts other than those directly pertaining to the ability of the applicant to operate a motor vehicle with safety, or other than those facts declared to be prerequisite to the issuance of a license under this Chapter.

(b) The Department may in its discretion waive the examination of any person applying for the renewal of a taxicab driver's license issued under this Chapter.

(c) The Department shall cause a special examination to be made of every person involved in a second accident resulting in personal injury, death or property damage to an apparent extent of One Hundred Dollars (\$100.00) or more within any 24-month period to determine any physical or mental impediment to the safe operation of a vehicle as a pre-requisite to the continuation of the operator's right to drive on the highways. The Department shall also cause to be examined any person whom the State Police Superintendent or the Chief of Police of the City of Wilmington recommends for such examination.

(d) The Department, for sufficient reasons, shall have authority to refuse to issue any form of license or permit to any applicant or to revoke any such license by the said Department heretofore issued. Provided, however, that upon such refusal or revocation, such applicant shall have a right of appeal to the Court of General Sessions of the County in which he resides, but in the case of revocations such appeal shall not operate as a stay.

(e) Examinations of applicants shall be performed by examiners appointed and designated under 5598. Sec. 60. of the Revised Code.

5719v. Sec. 181v. Register of Taxicab Drivers:—The Department shall file every application for a taxicab driver's license and index the same by name and number and maintain suitable

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records of all licenses issued and all applications for licenses denied, also a record of all licenses which have been suspended or revoked.

5719w. Sec. 181w. Licenses Issued to Taxicab Drivers:—

(a) The Department shall issue to every person licensed as a taxicab driver a "Taxicab Driver's License". Any person licensed as a taxicab driver under this Chapter shall not be required to procure a chauffeur's or an operator's license.

(b) Every such license shall bear thereon the distinguishing number assigned to the licensee and shall contain the name, age, residence, address and a brief description of the licensee for the purpose of identification, also a space for the signature of the licensee, and shall bear thereon a photograph of the licensee.

5719x. Sec. 181x. Duplicate License Certificates:—In the event that a taxicab driver's license issued under the provisions of this Chapter shall be lost or destroyed, the person to whom the same was issued may obtain a duplicate or substitute thereof upon furnishing proof satisfactory to the Department that such license has been lost or destroyed and upon payment of the fees required by law.

5719y. Sec. 181y. License to be Signed and Carried:—

(a) Every person licensed as a taxicab driver shall write his usual signature with pen and ink across the face of the photograph on the license certificate issued to him immediately upon receipt of such certificate, and such license shall not be valid until the certificate is so signed.

(b) The licensee shall at all times when driving a motor vehicle display the same in a place visible to passengers in such taxicab.

5719z. Sec. 181z. Expiration of License:—Every taxicab driver's license issued hereunder shall expire on May 31 of each year and shall be renewed annually upon application and payment of the fees required by law, such renewal to take effect on

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the first day of June in each year; provided that the Department, in its discretion, may waive the examination of any such applicant previously licensed under this Chapter.

5719aa. Sec. 181aa. Court to Report Convictions and May Recommend Suspension of Licenses:—Every court and police officer having jurisdiction over offenses committed under this Chapter, or any other law of this State, regulating the operation of motor vehicles on highways, shall forward to the Department a record of the conviction of any person in said court for a violation of any said laws, and may recommend the suspension of the taxicab driver's license of the person so convicted, and the Department shall thereupon consider and act upon such recommendation in such manner as may seem to it best.

5719bb. Sec. 181bb. Mandatory Suspension or Revocation of License by Department:—(a) The Department shall forthwith revoke the license of any person upon receiving a record of the conviction of such person of any of the following crimes:

1. Manslaughter resulting from the operation of a motor vehicle.
2. The crime of assault in which a motor vehicle is used and the death of a human being results.
3. Driving a vehicle while under the influence of intoxicating liquor or narcotic drug.
4. Perjury or the making of a false affidavit to the Department under this Chapter or any other Law of this State requiring the registration of motor vehicles or regulating their operation on highways.
5. Any crime punishable as a felony under the motor vehicle Laws of this State or any other felony in the commission of which a motor vehicle is used.
6. Conviction or forfeiture of bail upon three charges of reckless driving all within the preceding twelve months.

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7. A conviction of a driver of a motor vehicle, involved in an accident resulting in the death or injury of another person, upon a charge of failing to stop, and disclose his identity at the scene of the accident.

(b) The Department upon receiving a record of the conviction of any person upon a charge of operating a motor vehicle while the license of such person is suspended or revoked, shall immediately extend the period of such first suspension or revocation for an additional like period.

5719cc. Sec. 181cc. Department May Suspend or Revoke License:—(a) The Department may immediately suspend the license of any person without hearing and without receiving a record of conviction of such person of crime whenever the Department has reason to believe:

1. That such person has committed any offense for the conviction of which mandatory revocation of license is provided in Section 67 of this Chapter.

2. That such person has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any other person or serious property damage.

3. That such person is incompetent to drive a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to drive a motor vehicle upon the highways.

4. That such person is an habitual reckless or negligent driver of a motor vehicle or has committed a serious violation of the motor vehicle laws of this State.

5. That such person has violated the provisions of the "Second" paragraph of Section 73 of this Chapter.

Whenever the Department suspends the license of any person for any reason set forth in the above five paragraphs, the Department shall immediately notify the licensee and afford him

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an opportunity of a hearing before said Department in the county wherein the licensee resides, and upon such hearing the Department shall either rescind its order of suspension or, good cause appearing therefor, may suspend the license of such person for a further period or revoke said license.

(b) The Department is hereby authorized to suspend or revoke the license of any resident of this State upon receiving notice of the conviction of such person in another State of an offense therein which, if committed in this State, would be grounds for the suspension or revocation of the license of a taxicab driver. The Department is further authorized, upon receiving a record of the conviction in this State of a non-resident driver of a motor vehicle of any offense under the motor vehicle laws of this State, to forward a certified copy of such record to the Motor Vehicle Administrator in the State wherein the person so convicted is a resident.

(c) The Department shall not suspend a license for a period of more than one year and upon suspending or revoking any license shall require that such license of a taxicab driver whose license is so suspended or revoked shall be surrendered to and retained by the Department except that at the end of a period of suspension such license so surrendered shall be returned to the licensee.

5719dd. Sec. 181dd. **Right of Appeal to Court:**—Any person denied a license or whose license has been revoked by the Department, except where such revocation is mandatory under the provisions of this Chapter, shall have the right to an appeal to the Superior Court in the county wherein such person shall reside and such court is hereby vested with jurisdiction to hear and determine the matter.

5719ee. Sec. 181ee. **Violation of Taxicab License Provisions:**—It shall be unlawful for any person to commit any of the following acts:

First. To display or cause or permit to be displayed or to have in possession any taxicab driver's license knowing the same

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to be fictitious or to have been cancelled, revoked, suspended or altered;

Second. To lend to, or knowingly permit the use of, by one not entitled thereto any taxicab driver's license issued to the person so lending or permitting the use thereof;

Third. To display, or to represent as one's own, any taxicab driver's license not issued to the person so displaying the same;

Fourth. To fail or refuse to surrender to the Department upon demand, any taxicab driver's license which has been suspended, cancelled or revoked as provided by law;

Fifth. To use a false or fictitious name or give a false or fictitious address in any application for a taxicab driver's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application or in any examination for a taxicab driver's license.

5719ff. Sec. 181ff. Making False Affidavit, Perjury; Penalty:—Any person who shall make any false affidavit or shall knowingly swear or affirm falsely, to any matter or thing required by the terms of Article 10 of this Chapter to be sworn to or affirmed, shall be guilty of perjury and upon conviction shall be punishable by fine or imprisonment as other persons committing perjury are punishable.

5719gg. Sec. 181gg. Unlawful to Drive While License Suspended or Revoked; Misdemeanor; Penalty:—Any person whose taxicab driver's license has been suspended or revoked, as provided in this Chapter, and who shall drive any motor vehicle upon the highways of this State while such license is suspended or revoked, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than Fifty Dollars nor more than Two Hundred Dollars, or by imprisonment for not less than thirty days nor more than six months or by both such fine and imprisonment, and shall be punished for each like

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subsequent offense by a fine of not less than One Hundred Dollars nor more than Two Hundred Dollars, or by imprisonment for not less than ninety days nor more than six months, or by both such fine and imprisonment.

5719hh. Sec. 181hh. Penalty for Violation of Article 10:

—(a) It shall be unlawful and constitute a misdemeanor for any person to violate any of the provisions of Article 10 of this Chapter, unless such violation is by this Chapter or other law of this State declared to be a felony.

(b) Every person convicted of a misdemeanor for the violation of any of the provisions of Section 181 through 181p., inclusive, of this Chapter except such person as shall have been convicted of a violation of the provisions of subsection (b) of Section 181h. shall be punished for the first offense by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than thirty (30) days, nor more than ninety (90) days, or by both such fine and imprisonment and shall be punished for each subsequent like offense by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) or by imprisonment for not less than ninety (90) days nor more than six (6) months, or by both such fine and imprisonment.

(c) Every person who shall have been convicted of a violation of the provisions of subdivision (b) of Section 181h. of this Chapter shall be punished by a fine of not less than Five Dollars (\$5.00) nor more than Twenty-five Dollars (\$25.00).

(d) Every person convicted of a misdemeanor for the violation of any of the provisions of Sections 181r. through 181gg., inclusive, of this Chapter shall be punished for the first such offense by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment for not less than 5 days nor more than 30 days, or by both such fine and imprisonment, and shall be punished for each subsequent like offense by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00), or by imprison-

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ment for not less than 10 days nor more than 60 days, or by both such fine and imprisonment.

Section 2. That Chapter 165 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding a new paragraph to 5539. Sec. 1. thereof, to be known and styled as paragraph (ii) as follows:

(ii) "Taxicab":—Every motor vehicle, except buses, trackless trolley coaches and vehicles used on stationary rails or tracks, which is used, is intended to be used, or which has within six months been used, on any occasion in transporting a person or persons for hire in the accommodation of the public, except any taxicab having proper current registration in another State which does not and is not intended to take on or discharge, and which has not within six months taken on or discharged, for hire in the general accommodation of the public, on any occasion any person within the State of Delaware.

Approved April 10, 1947.

CHAPTER 271

STATE POLICE PENSIONS

FORMER NEW CASTLE COUNTY POLICE TO RECEIVE
CREDIT FOR SERVICE

**AN ACT TO PROVIDE THAT THE COUNTY POLICE OF
NEW CASTLE COUNTY NOW SERVING WITH THE
DELAWARE STATE POLICE SHALL RECEIVE CREDIT
FOR SERVICE ON COUNTY POLICE IN COMPUTING
PENSION BENEFIT.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That any former or present member of the State Highway Police, State Police or any successor or substitute therefor who shall have been a member of the County Police of New Castle County shall receive full credit for the time served in such County Police in computing the number of years' service required to receive the pension benefits provided in Section 3, Chapter 262, Volume 41, Laws of Delaware, as amended.

Approved April 10, 1947.

CHAPTER 272

AUTHORIZING ODESSA SCHOOL DISTRICT
TO COLLECT SPECIAL TAX

AN ACT TO AUTHORIZE ODESSA SCHOOL DISTRICT NO.
61 TO COLLECT A SPECIAL TAX FOR SCHOOL PUR-
POSES.

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Odessa School District No. 61 is hereby authorized to tax and collect a special school tax of up to ten cents (10c) on each One Hundred Dollars (\$100.00) of assessed value of property in said District.

Section 2. The sums collected hereunder shall be set aside and used only for the purpose of improving school conditions in said School District.

Approved April 10, 1947.

CHAPTER 273

ODESSA

**AN ACT TO REINCORPORATE THE TOWN OF ODESSA
IN NEW CASTLE COUNTY.**

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch of the Legislature concurring therein):

Section 1. The inhabitants of the said town of Odessa are hereby constituted and continued a corporation or body politic under the name and style of "The Mayor and Council of Odessa" with power to govern themselves by such ordinances, resolutions, rules and regulations for municipal purposes as they may deem proper, not to conflict with this Act, nor with the constitution and laws of the State or of the United States. The said Corporation shall be vested with all the powers, rights, privileges, franchises and immunities heretofore belonging to "The Commissioners of Odessa", as a municipal corporation, and shall have all the privileges and franchises incident to a corporation or body politic. All laws, ordinances, resolutions, rules and regulations for municipal purposes now in force within said town, not inconsistent with, nor modified or repealed by the provision of this Act, shall continue in force until repealed, rescinded or changed by proper authority.

Section 2. The Town of Odessa shall be bounded as follows:

All that certain tract or parcel of land laid out as the Town of Odessa in St. Georges Hundred, New Castle County, State of Delaware, according to a plat of said Town and the description thereof recorded in the Recorder's Office, in and for New Castle County aforesaid, in Private Acts Record B, Page 505, as follows; to-wit:

BEGINNING at a stone set in marsh land of Daniel Corbit at the southwestern corner of said Town, and running from there through marsh and up or cleared land of Daniel Corbit, cleared land of Mrs. Margaret B. Polk, crossing a ravine and cleared

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lands of John C. Corbit, cleared lands of Daniel Corbit, Charles E. A. Mailly and Samuel M. Enos, passing over a stone set on the southeastern side of the public road leading from Odessa to Middletown, crossing said public road north forty-eight degrees west two hundred eighty perches to a stone set in cleared land of Mrs. Margaret B. Polk, the northwestern corner of said Town; thence, through cleared land of the said Mrs. Margaret B. Polk passing over a stone set on the southwestern side of the public road leading from Odessa to Drawyer's Creek and Armstrong's Corner through cleared lands of William Polk and the heirs or devisees of James Rodgers, deceased, north forty-two degrees east one hundred sixty perches to a stone in cleared lands of the heirs or devisees of James Rodgers, deceased, the northeastern corner of said Town; thence through cleared land of the heirs or devisees of the said James Rodgers, deceased, passing over a stone on the northwestern side of the public road leading from Odessa to McDonough, crossing said public road and through cleared land and swamp or marsh of the heirs or devisees of the said James Rodgers, deceased, south forty-eight degrees east two hundred seventy-three perches to a stake in a ditch; thence with said ditch north seventy degrees east seven perches to the Appoquinimink Creek, the southeastern corner of said Town; thence up said Creek and binding therewith the several courses and distances thereof to a stone set at high water mark on the north side of said Creek, and from thence by a line drawn south forty-two degrees west crossing the Appoquinimink Creek through marsh land of Daniel Corbit, passing over a stone set on the northeastern side of the County Causeway, crossing said Causeway through marsh land of James V. Moore, recrossing the Appoquinimink Creek through marsh land of Daniel Corbit to the stone at the southwestern corner of said Town and place of Beginning. Containing within these metes and bounds two hundred eighty acres of land, be the same more or less.

PROVIDED, HOWEVER, that the jurisdiction of said Town shall extend over all wharves, docks, piers and other constructions in the Appoquinimink Creek adjoining the limits of said town.

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Section 3. The said corporation shall have power to annex any additional contiguous territory upon the petition of the freeholders paying three-fourths of the taxes thereof, and extend and apply to such additional territory all laws, ordinances, resolutions, rules and regulations in force within said town, so far as they may be locally applicable. Before any additional territory shall be annexed to said town, the Council shall pass a resolution describing and defining accurately the territory proposed to be annexed, and shall give notice that the petition for such annexation has been presented by causing copies of said resolutions to be posted in at least five public places in said town; and within sixty days thereafter, if sufficient cause to the contrary be not shown to the Council, it may, by ordinance, two-thirds of all the members concurring therein, annex to said town the territory described and defined in said resolution, and such territory shall thereupon become a part of said town.

Section 4. The said corporation shall also have power:—

To make and use a corporate seal and to change, alter and renew the same at pleasure;

To sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in all courts of law and equity, or in any other place whatsoever.

To have, take purchase, possess, enjoy and retain, by lawful means, to it and its successors, within said town or beyond the limits thereof, lands, tenements, herditaments, goods, chattels and effects of what kind, nature and quality soever, necessary for municipal purposes and the same to sell, grant, demise, alien or dispose of at pleasure;

To receive devises, bequests, gifts and donations of all kinds of property within said town and beyond the limits thereof for its own use and benefit, or in trust for charitable, benevolent, educational or other public purposes, and do all that is necessary to carry out the purposes of such devises, bequests, gifts and donations;

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To acquire or erect and maintain public buildings for municipal purposes and to regulate and control the management of the same;

To lay out, establish, maintain or vacate public parks and square; to lay out, open, grade, extend, widen, improve or vacate streets and alleys, crossings and other highways; to construct, maintain or vacate sewers, drains, gutters and other works for the disposition of sewerage and the drainage of said town; the jurisdiction and control over the squares, streets and alleys, sidewalks, crossings and other highways, to extend from building line to building line;

To provide for supplying said town and its inhabitants with water, and for the protection of the water to be used from contamination; to provide for the acquisition or erection and maintenance of such works as may be necessary or convenient for supplying water and to fix, alter, regulate and control the price and use of water so supplied;

To provide for lighting the streets and all public places in said town, and for supplying the inhabitants thereof with light; to provide for the acquisition or erection and maintenance of such works as may be necessary or convenient for supplying such light, and to fix, alter, regulate and control the price and use of light so supplied.

To fix, alter, establish and determine the lines beyond which no wharf, dock, pier or other construction shall be placed, constructed or maintained in the creek fronting on said town;

To grant to persons or corporations, in such manner and upon such terms and conditions as it may prescribe, franchises and privileges to locate, construct, extend and operate any enterprise in, upon or through any public park, square, street or other highway; provided that such grant shall be subject to the right to repeal and revoke the same for the abuse, misuse or non-use of the franchises and privileges granted; and provide further that no ordinance granting any such franchise or privilege shall be passed unless it shall receive the affirmative votes of two-thirds of all the members of the Council;

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To regulate and control the storage, within said town, of gunpowder, or any other dangerously combustible matter and any explosive oils or compounds; to grant licenses or permits for any lawful purpose and to define the purposes for which licenses or permits shall be required;

To make and enforce sanitary regulations; to define, abate and remove nuisances injurious to the public health or dangerous to the inhabitants of said town; and to prevent the introduction of infectious or contagious diseases; for which purposes its jurisdiction shall extend to any distance within one mile of the limits of said town;

To regulate and control the erection of buildings within said town and to require licenses or permits to be taken out before the erection or repair of any buildings;

To prohibit the going at large of any horse, cow or other animal, except under regulations prescribed by it; to lay and collect fines on the owner or harbinger of any horse, cow or other animal found going at large in violation of such regulations; and to provide for the registration of dogs in said town;

To make and enforce within said town such fire, police and other regulations as are deemed expedient to protect persons and property, maintain the public peace, prevent crimes and promote the public morals;

To make general assessments of property in said town and assess and collect taxes and other rates and charges thereon for municipal uses and purposes; to make and collect special assessments on said property for the cost of any local or general improvement; and to enforce the payment of such taxes and other rates and charges and special assessments;

To borrow money for municipal purposes on the credit of the corporation and to issue bonds therefor in the manner and under the restrictions hereinafter provided;

To provide for the payment of legitimate expenses of the corporation, and for the annual payment, through the medium

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of a sinking fund or otherwise, of a portion of its bonded indebtedness, now existing or hereafter to be created;

To prescribe the extent of steps, porches, cellar doors and other outlets to buildings; to regulate the construction and repair of chimneys; and to regulate party walls;

To provide for the submission of questions relating to the corporation to the qualified voters of said town as hereinafter provided;

To make the violation of its ordinances a misdemeanor in all proper cases, and to prescribe the punishment therefor by fine or imprisonment; provided that such fine shall not exceed One Hundred Dollars and such imprisonment a term of thirty days.

To exercise all municipal powers necessary to the proper administration of the municipal government; and for the well-being of the inhabitants of said town, whether such powers be expressly enumerated herein or not.

Section 5. There shall be one executive officer called the Mayor, five members of the Council, four of whom shall be freeholders and one of whom shall not be a freeholder, one Assessor, one Treasurer, and such other officers as the Council, by ordinance, may create and appoint. Whenever the Council shall receive a petition signed by legally qualified voters of said town, the number of whom shall be at least twenty per centum of the number of votes cast at the last General municipal election requesting an increase in the membership of Council from five to seven, the Council shall provide for the submission of the question as to the increase in membership to the voters at the next general municipal election and shall give notice in the same manner as hereinafter required to be given before any general municipal election, provided said petition was received by the Council, at least, thirty days before such general municipal election. If two-thirds of the voters voting at such general municipal election shall favor such increase in the number of the members of Council, the legally qualified voters shall, at the next subsequent general municipal election in addition to the elec-

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tion of the members of Council as provided for in this Act, vote for two additional members of Council, one to serve for one year and the other for two years, or until their successors are duly chosen and qualified.

Section 6. No person shall be eligible to office who is not, at his election, a citizen of the State, and a resident of the town for at least one year. The mayor must have resided in the town two years next before his election and be a freeholder in the town for a period of, at least, one year prior to his election and a non-delinquent taxpayer. A member of Council must have resided in the town two years next before his election, and the freeholder members of Council must also be, at the time of their election, freeholders in the town for a period of, at least, one year prior to their election and non-delinquent taxpayers.

Every officer of said town, before he enters upon the duties of his office, shall take an oath or affirmation to support the Constitution of the United States, and the Constitution of the State of Delaware, and that he will perform the duties of the office to which he has been appointed or elected, with fidelity.

The Treasurer shall, before entering upon the duties of his office, give bond to the Corporation in such amount as shall be determined by the Council, and with surety, to be approved by the Mayor, conditioned for the faithful performance of the duties of his offices, and with a warrant of attorney for the confession of judgment thereto annexed. The Treasurer shall prepare such reports as the Council may require of him. The Council, may, by ordinance, require such other officers of the town to give bond in such manner and with such conditions as it may deem proper.

Section 7. The salaries, fees or compensation of the officers and members of Council shall be established by ordinance; but no salary, fee or emolument of any officer shall be increased or reduced, for and during the period of service for which he may have been elected or appointed. No ordinance establishing the salaries, fees or emoluments of any elective office shall take effect previous to the general municipal election then next ensuing, and unless notice thereof shall be posted, at least two weeks before said election, in at least five public places in said town.

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Section 8. In case of death, removal from the town, resignation or refusal to act, of any elective officer of said town, or in case any person elected or appointed to any office in said town, shall be ineligible to the same, or shall fail to give bond for the faithful performance of the duties of such office (when such bond is required by law or ordinance) before the time fixed for entering upon the duties of his office, such office shall thereupon be vacant, and the Council shall make temporary appointments to supply such vacancy until the same can be filled at the next general municipal election. An officer elected to fill a vacancy shall hold for the residue of the term of the officer whose place he supplies.

Section 9. That Mayor and Council of said town shall continue to hold office during the respective terms for which they were elected or until their successors have been duly chosen and qualified. On the first Monday in April, A. D. 1947, and on the first Monday in April every two years thereafter, the Mayor, three members of Council, and the Treasurer shall be elected to hold office for the term of two years or until their successors have been duly chosen and qualified. On the first Monday in April, A. D. 1947 there shall also be elected two additional members of Council for the term of one year or until their successors have been duly chosen and qualified. On the first Monday in April, A. D. 1948 and on the first Monday in April every two years thereafter two members of Council shall be elected to hold office for the term of two years or until their successors have been duly chosen and qualified.

Section 10. The general municipal election shall be held in the Town Hall in said Town on the first Monday in April of each and every year from one o'clock until seven o'clock in the afternoon. All persons desiring to be candidates at any municipal election shall file with the Secretary of the Council a written statement of their candidacy, at least, ten days previous to said election, and a vote cast for any person whose candidacy has not been filed, shall not be counted. The Mayor shall, at least thirty days before any general election, give notice of such election, together with the officers to be elected thereat, by posting notices in five or more public places in said town. At least

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five days previous to said election, the Mayor shall post notices in five or more public places in said Town setting forth the names of the candidates for each office to be filled at said election. There shall be an inspector and two judges, which judges shall also act as clerks at such election, elected by the Council. At such election every citizen of said Town, who shall have attained the age of twenty-one years and shall have resided in said Town for one year next preceding the day of election, and is a taxable thereof, shall have a right to vote; but no one shall be permitted to vote who has been declared a delinquent. The inspector and judges of the election shall decide on the legality of the votes offered. Immediately after the election is closed, the votes shall be read and counted in public, and the persons having the highest number of votes shall be declared duly elected and shall continue in office during the term for which they were chosen, or until their successors are duly chosen and qualified. Immediately after such election the persons under whose superintendence the election is held, shall enter in a book to be provided for that purpose, a minute of such election, containing the names of the persons chosen Mayor, members of Council or Treasurer, and shall subscribe the same and give the persons so elected, certificates of their election. The book containing such minutes shall be kept and preserved by the Council. All elections shall be by ballot and a plurality of votes cast shall make a choice. A failure to hold an election on an election day, or the omission to execute any authority conferred by this Act, shall not dissolve the corporation, but the authority of each officer shall continue until the next general municipal election.

In the event an election is not contested, it shall and may be lawful to open polls at one o'clock, P. M., and close them at two o'clock, P. M.

Section 11. It shall be the duty of the Mayor to preside at all meetings of Council, to see that the laws and ordinances of the said town are faithfully executed. He shall have the custody of the seal of the Corporation and the right of affixing the same. He shall approve, or veto, all ordinances, acts or resolutions of the Council. If approved, shall write "approved"; if not approved shall write "not approved", and shall sign the same;

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at the same time, in writing, he shall state his objections; whereupon the Council may reconsider its vote, and if the Council is unanimous, or after the number of members of Council is increased to seven, two-thirds of all the members elected to Council favor such ordinance, act or resolution, such ordinance, act or resolution shall become a part of the ordinances, acts and resolutions of said town.

He shall countersign all drafts on the Treasurer, with approval or non-approval; if not approved, the Treasurer must not pay such drafts. The Mayor shall also have power to administer oath and affirmation.

Section 12. The Mayor is hereby constituted a conservator of the peace, within said town, and is authorized and empowered to exercise, within said town, all the authority which a Justice of the Peace may exercise under the laws of this State with power to commit persons guilty of a breach of the peace to the New Castle County Workhouse, or to such place as may, for that purpose, be provided by said town. He may take recognizance for keeping the peace, for being of good behaviour, or for appearance, or otherwise. The Mayor shall have jurisdiction of all offenses which shall be committed within said town against any of the Laws of the State, laws, ordinances, regulations or constitution of said town which are or may hereafter be prescribed. He shall have jurisdiction and authority over the neglects, omissions or defaults of the town police, Treasurer, assessor or any other person, whose duty it may be to collect, receive, pay over or account for any money belonging to said town, or to execute or obey any law or ordinance thereof. Provided, that he shall not impose any fine exceeding One Hundred Dollars, and/or imprisonment of thirty days, nor have jurisdiction in any civil matter other than to carry out the provisions of this Act or the rules and regulations adopted for the government of said town by proper authority. The fees of said mayor shall be the same as are allowed Justices of the Peace for similar services under the laws of this State. It shall be the duty of the mayor to keep a book of record or docket in which all judicial proceedings before him shall be entered, and he shall upon the expiration of his term of office deliver over to his successor such book of record.

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or docket within ten days after the election and qualification of said successor. Prosecution before the mayor shall be by information without indictment by grand jury or trial by petit jury. Process issued by the mayor may be directed to any constable or to the sheriff of any county who shall execute the same in like manner, and be subject to the same penalties, as in other cases. In case of sickness or unavoidable absence, any member of Council shall have, during sickness or absence, the same power and authority as could, under the circumstances be exercised by the Mayor.

Section 13. The regular meetings of the Council shall be held on the first Monday of each month. At the first regular meeting in May the Council shall choose a Secretary who may be removed at any time for any cause deemed sufficient by a majority of said Council. It shall be the duty of the said Secretary to record all the proceedings of Council and keep a correct journal of the same in a book or books, to be provided for that purpose and also the papers relative and belonging to said town, all of which are to be carefully preserved and delivered to his successor in office. His compensation shall be fixed by the Council. No ordinance, except in cases of emergency, shall be passed by the Council except at a regular meeting and unless such ordinance has been introduced at some previous regular meeting and copies of the proposed ordinance posted in three public places in said town at least ten days before final action of the Council thereon.

Section 14. The Council shall have the power upon the application of five or more citizens of said town, being seized of estates of freehold situate in said town, by petition to it for that purpose, to locate, lay out, or open any street or alley which said five or more freeholders of said town may desire to be located, laid out and opened, allowing to the persons respectively, through or over whose ground such street or alley may run, such compensations or damages therefor as it shall deem reasonable and just under all the circumstances, which compensation, if any be allowed, shall be paid by the Treasurer of said town, out of the moneys of said town on warrants drawn on him by the proper authority.

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Section 15. Whenever the Council shall have proceeded to locate and lay out any street or alley and shall have fixed the compensation therefor, it shall be its duty immediately after the survey and location of said street or alley to notify in writing the owner or owners of the real estate, through or over which such street or alley may run, of its determination to open the same, and to furnish a general description of the location thereof, and also the amount of such damages or compensation allowed to each. And if such owner or owners do not reside within the said town, to notify the holder of said real estate. If any owner or owners be dissatisfied with the amount of damages or compensation, he or they may, within ten days after receiving notice from the Council as aforesaid, appeal from the said decision or assessment by serving a written notice to that effect on the said Council, or any member of said Council. In order to prosecute said appeal, it shall be the duty of said Council to make application to the Resident Judge of New Castle County, who shall appoint five impartial freeholders of said County. The said freeholders shall view the grounds to be so taken or occupied, and taking into consideration the advantages, as well as the disadvantages which may arise to the property, they or a majority of them, shall assess the damage which might be done to the said property, and return the same, under oath or affirmation, to the Council, which shall cause such return to be entered on its journal, and upon the payment or tender of the said assessed damages to the owner or owners of the property, the said property may be taken or occupied. The award of said freeholders shall be made within fifteen days after their appointment by the said Resident Judge. The said freeholders shall, severally, receive and be allowed for each day's actual service the sum of two dollars. Any freeholder so summoned, neglecting or refusing to serve, shall be subject to a penalty of Twenty-five Dollars, collectible as a common debt. In case of sickness, or unavoidable detention of any freeholder or freeholders, the said Resident Judge shall appoint, forthwith impartial freeholders to fill the vacancy so occasioned.

Section 16. The Council shall appoint at the regular meeting in May of each year three substantial citizens, at least one of whom shall be a practising physician, who shall constitute a

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Board of Health for said town and who shall serve for one year. The said Board of Health shall take cognizance of the interests of health among the people of said town and shall report to the Council in writing whatever in its judgment is injurious to health. The said Board shall have all powers now or hereafter vested by the laws of this State in Boards of Health generally, and also such additional powers as may be conferred by ordinances adopted by the Council. The members of said Board shall organize by the election of a President and a Secretary within ten days after notice of their appointment, and said Board shall keep a record of its proceedings.

Section 17. If any person or persons, firm or corporation shall hereafter erect or set up a plant for the purpose of manufacturing therein, within the limits of said town, the Council shall have the power to remit all taxes that may be levied or imposed on said plant for town purposes, for a period not exceeding ten years, but such remission of taxes as aforesaid shall be at the discretion of the Council.

Section 18. No circus, menagerie, theatrical or minstrel company or any such exhibition of any kind shall be exhibited or bills posted therefor or parade thereof on any of the streets, alleys or lanes of said town; nor shall any person, firm, company or corporation open, set up, or attempt to open or set up any pool or billiard room or any other room for the purpose of amusement for which a charge for profit is made, direct or indirect; or any temporary place of business for the purpose of selling or offering for sale, by auction or otherwise, any goods, wares, merchandise or articles of any kind; or peddle, take orders for or deliver any goods, wares, merchandise or articles of any kind on any of the streets, lanes and alleys, within the limits of said town, without having first obtained permission of the Council which shall hereby have power to grant licenses for that purpose, the charge for the same to be at its discretion. Provided, that the foregoing provisions shall not apply to theatricals or other entertainment gotten up by the citizens of said town, or to any farmer, trucker or fisherman selling such farm produce or fish as is of his own growing or catch, or any salesman taking orders from or selling to any licensed merchant.

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Any person, firm, company or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before the Mayor or any Justice of the Peace shall be fined in a sum not exceeding Twenty-five Dollars for each and every offense. Each day's violation of the provisions of this act shall constitute a separate offense.

Section 19. The Council shall elect a town constable who shall exercise the same powers and be entitled to the same fees as a county constable in similar cases, and may pursue beyond the limits of said town, with or without warrant, any violators of the laws or of the ordinances of said town, and arrest any such persons, and bring them back into said town for trial, or take them before any Justice of the Peace that they may be dealt with according to law. In any case of necessity he may command the aid of any citizen or citizens.

Section 20. The several posts and mark-stones, now set and fixed in the earth, in the middle, on the sides, or near the sides of the streets of said town, as well as such other posts and mark-stones, as shall, from time to time, be set and fixed in the earth by the town surveyor or regulators, shall, in all cases and in all courts of law, within this State, be deemed, taken and allowed as land-marks. And if any person shall wilfully pluck up, or remove, any of said posts or mark-stones, such person shall for every such offense, forfeit and pay a fine of One Hundred Dollars, and the Council may reward the informer of such offense, by allowing him a portion of said penalty, not exceeding a moiety thereof.

Section 21. The Council shall, at a special meeting to be held on the second Monday in April of each year, elect an assessor who shall be a legally qualified voter of said town, and who shall, before entering upon the duties of his office, be duly qualified by oath or affirmation to perform the duties of his office to the best of his knowledge, and without favor or partiality. The said assessor shall on or before the first Monday in May make a true, just and impartial valuation and assessment of all the real estate within said town, locating each parcel of property by the street and square, and also an assessment of all the

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residents in said town above the age of twenty-one years, as well as those owning as those not owning real property within said town. The said assessor shall on the first Monday in May deliver to the Council a typewritten copy containing the names of all persons assessed and the amount of their assessments, distinguishing the real and personal assessment of each, and shall upon the said first Monday in May hang a typewritten duplicate of such assessment in the postoffice, or such other place as the Council shall, by ordinance, designate, there to remain for the space of two weeks for public information. And the said Council shall on the third Monday in May hold a court of appeals which shall continue open from six o'clock, P. M. until nine o'clock, P. M., when it shall hear and determine appeals from said assessment. Notice of the hanging up of the assessment list and also of the time and place of hearing appeals shall be given by notices posted by the assessor in at least five public places in said town. The decision of the Council upon any appeal shall be final and conclusive. No member of Council shall sit upon his or her own appeal, but the same shall be heard and determined by the others. After the valuation and assessment shall be examined and adjusted by said Council, all taxes shall be levied, assessed and raised on the real estate, and persons thus valued and assessed, in just and reasonable proportions and rates.

Section 22. The said Council after having ascertained the sum necessary to be raised and having apportioned the same on the assessment and valuation aforesaid, shall, on the first day of July of each year, furnish the Treasurer of said town, who shall be the collector of taxes for said town, with a duplicate containing the names of the taxables as well as the owners of real estate, as those not owning real estate, distinguishing between them, and also the tax levied on each person and also the tax on the whole valuation and assessment and the rate per hundred dollars. The said duplicate shall have a warrant annexed thereto and shall be signed by the Mayor and the majority of the members of the Council. The said Treasurer shall, upon receiving such duplicate, post notices in at least five public places in said town, that the taxes for the ensuing year are due and payable, which notice shall be all that is required to be given

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before proceeding to collect the taxes of any taxable under the provisions of Section 23 of this Act. The said Treasurer shall sit at some convenient place on the first Monday in August of each year, from nine o'clock, A. M. until eight o'clock P. M., with intermission from twelve o'clock M. until one o'clock P. M., and from five o'clock, P. M., until six o'clock, P. M., for the purpose of receiving taxes; he shall also sit on the first Monday in December at the hours aforesaid for the same purpose. On all taxes paid before the first day of October, there shall be an abatement of five per centum; on all taxes paid after the first day of October and before the first day of January there shall be no abatement; and on all taxes paid after the first day of January there shall be added interest at the rate of one-half per centum per month until payment is made. The Treasurer shall apply all monies received by him on account of taxes in payment of the oldest taxes due.

Section 23. (a) The said Treasurer and his sureties shall, upon the delivery to him of the duplicate and warrant, be responsible for the whole amount of the taxes he shall be required to collect or that shall be committed to him for collection subject only to allowances made by the Council for delinquencies, commissions or otherwise. His death shall not effect his liability but his powers shall devolve upon his executor or administrator.

(b) If any person is taxed for several parcels of real estate, or for capitation and real estate in the same tax, the whole of such person's taxes may be collected either out of the real estate, or any part thereof; provided, that no land alienated shall be sold, if the persons taxed have other sufficient property.

(c) The treasurer may recover the amount of tax in an action of debt against the person taxed, before any Justice of the Peace in New Castle County, or before the Court of Common pleas or Superior Court of New Castle County; and it shall be sufficient to set forth that the action is to recover a specified sum of money, being a tax or taxes assessed against the defendant, and the time of assessing the same. The right of appeal shall be the same as in other civil actions.

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If judgment be rendered in favor of the Treasurer, he shall have an allowance for his reasonable trouble in attending to the suit, including counsel fees, not in excess of five per centum of the amount of taxes plus accrued interest, to be taxed by the Court in the costs, and execution shall issue against the real estate of the defendant; provided, no execution against the real shall issue except out of the Superior Court of New Castle County. Where such judgment is recovered before a Justice of the Peace or Court of Common Pleas, and it is the desire of the Treasurer to proceed against the real estate of the defendant, the said Treasurer shall take a transcript of the judgment from the Justice of the Peace or Court of Common Pleas and cause the same to be entered on the dockets of the Superior Court. When such transcripts are entered, the subsequent proceedings shall be the same as upon other judgments. The lien of the judgment as aforesaid shall be deemed to relate back and take effect from the date of the Treasurer's duplicate as aforesaid.

(d) That in addition to all existing methods and authority for the collection of taxes or special assessments due to "The Mayor and Council of Odessa", the following methods and authority are hereby established:

"The Mayor and Council of Odessa" may file, or cause to be filed, a Praeipie in the Office of the Prothonotary of the Superior Court, in and for New Castle County, which shall contain the name of the person against whom the taxes or assessments sought to be collected were assessed, and a copy of the bills showing the amount of taxes or assessments due and the property against which the assessment was laid; and the statement of the lot number or numbers of the particular section in which said property is located shall be sufficient identification and description of the said property. The Prothonotary shall make a record of the same on the judgment records of said Superior Court against the property mentioned or described in said Praeipie. Thereafter upon a Praeipie for Monition filed in the office of the said Prothonotary by "The Mayor and Council of Odessa", a Monition shall be issued by the Prothonotary aforesaid to the Sheriff of New Castle County, which Monition shall briefly state the amount of the judgment for the taxes or as-

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sessments due and the year or years thereof, together with a brief description of the property upon which said taxes or assessments are a lien; a description of such property by street and number or by number or numbers of the particular section in which said property is located shall be sufficient description. Said Monition shall be substantially in the following form:

To all persons having, or claiming to have, any title, interest, or lien upon the within described premises, take warning that unless the judgment for the taxes and assessments stated herein is paid within twenty days, after the date hereof, or within such period of twenty days, after the date hereof, or within such period of twenty days evidence of the payment of taxes or assessments herein claimed shall be filed in the Office of the Prothonotary which evidence shall be in the form of a receipted tax bill or duplicate thereof, bearing date prior to the filing of the lien in the office of the Prothonotary of New Castle County, "The Mayor and Council of Odessa" may proceed to sell the property herein mentioned or described for the purpose of collecting the judgment for the taxes or assessments herein stated.

Name of the person in whose name property is assessed.

Description of property

Year or Years

Amount of Judgment

Said Monition, or a copy thereof, shall be posted by the Sheriff upon some common place or part of the property against which said judgment for the taxes or assessments is a lien, and a copy of said Monition shall be left, in the presence of an adult person, at the usual place of abode within New Castle County of the person in whose name the property is assessed. If the person in whose name the property is assessed is a Corporation, a copy of said Monition shall be left, in the presence of an adult person, at its principal place of business in New Castle County. If the said person does not reside in New Castle County, or if said corporation has no place of business in New Castle County,

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a copy of said Monition shall be mailed in a sealed postpaid envelope directed to the last known address or place of business of the said person or corporation. The Sheriff shall make due and proper return of his proceedings under said Monition to said Prothonotary within ten days after leaving of said copy of Monition as aforesaid or the mailing of said copy of Monition as aforesaid.

Alias or pluries Monition may issue upon like Praeceptum. The posting of said Monition and the leaving or mailing of said copy as herein required shall constitute notice to the owner or owners and all persons having any interest in said property.

At any time after the expiration of twenty days next following the return of the Sheriff upon such Monition, unless before the expiration of said twenty days the said judgment and costs on said judgment shall be paid or evidence of the payment of such taxes evidenced by a receipted tax bill or a duplicate thereof bearing date therefor prior to the filing of said lien for record in the Office of the Prothonotary as aforesaid, upon application in writing by "The Mayor and Council of Odessa", through its Attorney, or any other person authorized in its behalf to collect taxes or assessments due to "The Mayor and Council of Odessa", a writ of Venditioni Exponas shall issue out of the Office of the said Prothonotary directed to the Sheriff commanding the Sheriff to sell the property mentioned or described in said writ and make due return of his proceedings thereunder in the same manner as is now applicable with respect to similar writ of Venditioni Exponas issued out of the Superior Court.

Said writ shall be substantially in the following form:

New Castle County }
State of Delaware } ss.

TO THE SHERIFF OF NEW CASTLE COUNTY, GREETINGS:

WHEREAS, by a Monition issued out of the Superior Court, dated at Wilmington, the.....day of.....
A. D. 19....., IT WAS COMMANDED, that you should post

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the said Montion or copy thereof upon the real estate therein mentioned and described, and make a return to the said Superior Court within ten days after service of a copy of said Superior Court within ten days after service of a copy of said Monition as hereafter stated. That on the.....day of.....A. D. 19....., you returned that a copy of the said Monition was posted on the real estate therein mentioned and described on the.....day of.....A. D. 19....., and that a copy of said Monition was left, in the presence of an adult person, at the usual place of abode within New Castle County of the person in whose name the property is assessed. on the.....day of.....A. D. 19....., (or that a copy of said Monition was left, in the presence of an adult person, at the principal place of business in New Castle County of the corporation in whose name the property is assessed, on the.....day of.....A. D. 19....., or that since said person or corporation does not reside in New Castle County or has no place of business in New Castle County, a copy of said Monition was mailed in a sealed postpaid envelope directed to the last known address or place of business of the said person or corporation, on the.....day of....., A. D. 19.....).

WE, therefore, now command you to expose to public sale the real estate mentioned and described in said Monition as follows:

and that you cause to be made as well a certain debt of.....Dollars (\$.....) lawful money of the United States, which to the said "The Mayor and Council of Odessa", a Municipal Corporation of the State of Delaware, is due and owing, as also the sum of.....Dollars (\$.....), lawful money as aforesaid, for its costs, which it has sustained by the detaining of that debt, whereof the said.....was convicted as it appears of record and against which said property it is a lien:

AND have you that money before the Judges of our Superior Court at Wilmington, on Monday the.....day of.....next, to render to the said "The Mayor

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and Council of Odessa", a Municipal Corporation as aforesaid, for its debt and costs as aforesaid, for its debt and costs as aforesaid, and this writ:

WITNESSETH, the Honorable.....at
Wilmington, the.....day of.....A. D.
19.....

.....
Prothonotary

(e) Any real estate or interest therein sold under the provisions hereof shall vest in the purchaser all the right, title and interest of the person in whose name the said property was assessed, and/or all right, title and interest of the person or persons who are the owner or owners thereof, and likewise freed and discharged from any dower or curtesy or statutory right, in the nature of a dower or curtesy, whether absolute or inchoate, in or to said real estate, and from all equity of redemption and liens and encumbrances held by persons and corporations against said property.

(f) - The owner of any such real estate sold under the provisions of this act or his legal representatives may redeem the same at any time within one year from the day of the sale thereof, by paying to the purchaser or his legal representatives, successors or assigns, the amount of the purchase price and fifteen per cent in addition thereto, together with all costs, incurred in the cause; or if the purchaser or his legal representatives, successors or assigns shall refuse to receive the same, or do not reside or cannot be found within the town of Odessa, by paying said amount into said Court for the use of said purchasers, his legal representatives or assigns.

In the event that the owner of said property or his legal representatives shall fail to redeem said property as herein provided, the purchaser of said property or his legal representatives, successors or assigns may present a Petition to the Superior Court setting forth the appropriate facts in conformity with this Act and pray that the said Superior Court make an order directing the Sheriff, then in office, to execute, acknowledge and deliver a deed, conveying the title to said property to the

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Petitioner; and thereupon the said Superior Court shall have power, after a hearing upon said Petition to issue an order directing the Sheriff to execute, acknowledge and deliver a deed as prayed for in said Petition; and a description of said property by street and number or by lot number or numbers of the particular section in which said property is located, together with a description of said property made from a map of the assessed property of the Town of Odessa in the office of the Assessor of the Town of Odessa shall be sufficient description in any such deed.

If the owner of any real estate sold under an order of sale or his legal representatives shall redeem said real estate, he may prefer to said Superior Court a petition setting forth that fact and thereupon the said Superior Court, after hearing and determining the facts set forth in said petition, shall have power to cause to be entered upon the record of the Judgment, under which said real estate was sold, a memorandum that the real estate described in the proceedings upon which said judgment was entered has been redeemed and thereafter the said owner shall hold such redeemed real estate subject to the same liens and in the same order of priority as they existed at the time of the sale thereof, excepting so far as the said liens have been discharged or reduced by the application of the proceeds by the said Sheriff from the said sale.

(g) Upon the return of the proceedings under said writ of Venditioni Exponas, the Superior Court may inquire into the regularity of the proceedings thereunder, and either approve the sale or set it aside.

(h) No Monition proceedings shall be brought under this Act unless the tax or assessment sought to be collected hereunder shall, at the time of the filing of said Praeipie in the Office of the Prothonotary, be and constitute a lien upon the property against which the tax or assessment was assessed or laid. All taxes for town purposes which may hereafter be lawfully assessed on real estate in the Town of Odessa shall constitute a prior lien thereon for a period of ten years from the First day of July succeeding the assessment of said taxes, but

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if the said real estate remains the property of the person to whom it is assessed, then the lien shall continue until the tax is collected, and may, with all incidental costs and expenses, be levied by sale thereof as hereinbefore provided. The said tax lien and costs and reasonable counsel fees for the collection thereof shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility which the real estate may become charged with or liable to. "The Mayor and Council of Odessa" shall have the authority to authorize any person or persons to make a bid or bids at the sale of any real estate under the provisions of this Act and in the event that such person or persons is the highest bidder or bidders therefor, the title thereto shall be taken in the name of "The Mayor and Council of Odessa", a Municipal Corporation of the State of Delaware. "The Mayor and Council of Odessa", by resolution adopted, are authorized and empowered to sell and convey any real estate purchased under the provisions of this Act.

(i) Wherever the Superior Court is mentioned in this Statute, the same shall be held to embrace the Judges or any Judge thereof, and any act required or authorized to be done under this Act may be done by the said Superior Court or any Judge thereof in vacation of said Superior Court, as well as in term time.

(j) The fees and costs to be taxed in all Monition proceedings under this Act, where not otherwise provided for, shall be as follows:

The following fees shall be charged by the Prothonotary:—

| | |
|--|--------|
| Filing Praecept | \$1.10 |
| Issuing Monition and Copy | 2.75 |
| Issuing Alias or Pluries Monition and Copy | 2.75 |
| Writ of Venditioni Exponas | 2.25 |
| Filing any Petition in Superior Court under this Act | 1.00 |
| Costs of Paying Money into Superior Court | 1.00 |
| Cost of Paying Money out of Superior Court for Each | |
| Check drawn | 1.00 |

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The following fees shall be charged by the Sheriff:—

| | |
|---|--------|
| Posting Monition or Copy thereof | \$.75 |
| Posting each Alias or Pluries Monition or copy thereof..... | .75 |

All other charges not covered by this Act shall be the same as are now provided by law.

(k) In addition to the foregoing procedure for the collection of delinquent taxes, "The Mayor and Council of Odessa" shall have the authority to employ or cause to be employed such procedure for the collection of delinquent taxes due "The Mayor and Council of Odessa", as set forth in Chapter 135, 1155 Sec. 11. of Volume 40, Laws of Delaware, so far as the same refers to the attachment of personal property.

(l) The Treasurer shall proceed to collect all taxes due and unpaid on the first day of February of each year under the Provisions of this Section, provided he may collect such taxes under the Provisions of this Section at any time after receiving his duplicate. He shall on the third Monday in March settle in full with "The Mayor and Council of Odessa" for all taxes required to be collected by him during such year, except such delinquencies and commissions as the said Council shall allow. If the said Treasurer shall fail to settle in full on the said third Monday in March the said "The Mayor and Council of Odessa" shall proceed against him and his sureties for the balance due from him for such taxes.

(m) The said Treasurer shall discharge himself of all moneys in his hands by drafts drawn on him by order of the Council which drafts shall be signed by two members of the Council and countersigned by the Mayor. The said Treasurer shall receive a reasonable compensation for his services to be determined by the Council.

Section 24. "The Mayor and Council of Odessa" shall also have power and authority to levy and collect reasonable taxes upon all telephone, telegraph, electric light, electric power and trolley poles and other erections and equipment of like character erected within the Town of Odessa, and to this end may

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at any time direct the same to be included in or added to the City Assessment. In case of any of the owners or lessees of any such poles or erections within said Town shall refuse or neglect to pay the taxes that may be levied upon such poles or erections, the Council shall have authority to cause the same to be removed and may cause to be instituted by the collector, suit to recover the amount of taxes so levied and the expenses incident thereto and the expenses incident to the removal of such poles or erections.

Section 25. "The Mayor and Council of Odessa", under the restrictions hereinafter provided, may borrow for municipal purposes on the credit of said town such sum or sums of money, at such time or times, as they may deem proper, not to exceed twenty-five per centum of the assessed value of the real estate of said town and issue bonds for the payment of the same; provided, however, that not to exceed at any time two per centum of the assessed value of said real estate may be borrowed by "The Mayor and Council of Odessa" without the necessity of submitting the same to the voters of said town for their approval as otherwise provided, and the Council may cause the bonds or notes of "The Mayor and Council of Odessa" to be issued for the payment of the same; provided further that the total indebtedness of every kind, shall not exceed twenty-five per centum of the assessed value of said real estate; and provided further, that the said twenty-five per centum may be exceeded only for the purpose of borrowing any sum or sums of money to refund or pay off any bond issue or issues of said town.

Section 26. "The Mayor and Council of Odessa", for the purpose of carrying into effect the provisions of Section 25 of this Act, may issue bonds of such denomination as they may deem best, bearing interest at a rate not exceeding five per centum per annum, payable semi-annually. The principal of each issue of said bonds shall be made payable in thirty years from the date of the issue thereof, the said "The Mayor and Council of Odessa", reserving the power and authority of redeeming said bonds or any part of them at the expiration of ten years from the date of the issue of the same. The said bonds shall be signed by the Mayor and countersigned by the Trea-

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surer, and shall be sealed with the corporate seal, and be exempt from all State, County and Municipal taxation.

The said Council is authorized, empowered and directed to levy, assess and collect annually in the same manner as provided by law for assessing and collecting other taxes for municipal purposes, a special tax for the purpose of establishing a fund adequate to the redemption at or before maturity of all the bonds of any issue; provided, that the amount to be raised for the purpose of establishing said sinking fund shall not exceed the sum of five per centum of the amount of such issue.

Section 27. Before any sum or sums of money shall be borrowed, the question of borrowing such sum or sums shall be submitted to the voters of said town, and be approved by a majority of the votes cast at a special election, and at every such election each person within said town, being a resident thereof, shall have the right to cast one vote for every dollar and fractional part of a dollar of tax assessed to him or her respectively; and that every male or female shall have the right to vote; provided that he or she shall have paid all taxes heretofore levied and assessed against him or her and shall produce a tax receipt for the same when demanded by any person entitled to vote at said election. Notice of such election and the purpose thereof shall be posted in at least ten public places in said Town, at least, twenty days before the time of such election. No election shall be necessary, however, where the purpose of the new bond issue is to pay off an existing bonded indebtedness in like or less amount and at a like or less rate of interest.

Section 28. The Council is hereby empowered, upon the written petition of five or more freeholders of said Town to notify in writing, the owner or owners of any house and/or lot in said Town, before or in front of which the said Council may deem proper that a pavement should be laid, to lay a pavement of brick, concrete or any other material, which may be approved by said Council. The length and width of such pavement may be prescribed by said Council, but no person shall be obliged to pave any sidewalk or footway to a greater width than four feet in front of any vacant lot or lots not near or adjoining any dwell-

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ing house. In like manner upon like petition, the Council is empowered where any pavement be deemed insufficient to notify, in writing, the owner or owners of the house and/or lot before or in front of which such pavement is or has been laid, to repair the same. In like manner upon like Petition, the Council is empowered where there is no curbing or where curbing is deemed insufficient before or in front of a house and/or lot in front of which there is no curbing or where said curbing has been deemed insufficient, to notify the owner or owners to curb or re-curb with any material which may be approved by said Council. In like manner and upon like Petition, the Council is empowered to notify in writing, the owner or owners of any house or lot in said Town to cover the sidewalk before or in front of such house and/or lot with gravel, sand or other suitable material in case the said Council deems such sidewalk not proper to be paved. If such owner or owners shall neglect or refuse, for the space of twenty days after being notified as aforesaid, to lay such pavement or repair the same, to curb or re-curb, or to cover the sidewalk, as above-stated, it shall and may be lawful for "The Mayor and Council of Odessa" to cause the said specified work to be done and to charge the cost of the same against the owner or owners of the premises in question, said charge to constitute a lien against said premises, from the date of the beginning of the work until paid. It shall be the duty of "The Mayor and Council of Odessa", by Warrant signed by the Mayor and Secretary of said Council, with the seal affixed thereof, and directed to the Assessor, in which shall be stated the name of the owner or owners, if known; otherwise, it shall be sufficient to list the owner or owners as unknown, the date of the commencement of the work, the nature of the work done and the amount, directing the Assessor to prepare a special assessment list with said information included, which shall be attached to and be a part of his assessment of real estate and personal assessment within said Town for the ensuing year. The right of appeal from said assessment together with the time of payment and date from which interest shall run at the rate of one-half per centum per month on said assessment and the method of collection, shall be the same in all respects as though it were a claim for real

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estate taxes, as set out in Section 23 of this Act, excepting that no discount shall be allowed, as is allowed in the case of the payment of taxes.

The Council shall also have power, and it is hereby authorized to order and direct the owner or owners of any house or lot, situate on any street where there is or may hereafter be a water main or sewer main, to tap the water main or the sewer main in said street, and to connect said sewer main or said water main, by pipe, with the property so situated on said street aforesaid; and if such owner or owners neglect to refuse so to do for the space of twenty days, the said "The Mayor and Council of Odessa" shall cause the same to be done and recover the cost of the same in the same manner as prescribed for the recovery of cost where new pavements, etc., have been laid.

If there be more than one owner of the premises affected by the paving, repaving, curbing, re-curbing or tapping of water or sewer main, notice to one shall be deemed sufficient, and if there be no owner of said premises resident in the town of Odessa, notice to the occupier thereof shall be deemed sufficient, and if there be no occupier, then the posting of said notice upon the premises shall be deemed sufficient.

Section 29. Whenever at least fifty legally qualified voters of said town shall petition the Council requesting a vote upon any ordinance or any matter which may be the subject matter of an ordinance for an election thereon, the Council shall appoint a day for such election and shall choose an inspector and judges therefor, and give the same notice of such election as is required to be given at a general municipal election. If two-thirds of the votes cast at such election shall be against such ordinance, such ordinance shall be repealed as though repealed by the action of Council; or if two-thirds of the votes cast at such election shall favor any such matter which may be the subject matter of an ordinance, such matter shall be an ordinance as though passed by the Council in the manner prescribed in this Act. The subject matter of any such petition may also be the question of any municipal improvement.

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The number of voters necessary to petition in order to secure an initiative or referendum may also be increased in the manner prescribed in this Section. A legally qualified voter shall mean a voter qualified to vote at the last general municipal election, and any one may vote at any special election who has qualified to vote at the general municipal election next preceding.

The Council may also submit any question which it may deem proper to the referendum vote of the legally qualified voters of said town.

Whenever the Council shall receive a petition for an election as prescribed in Sections 29 and 30 of this Act, it shall provide for an election to be held not more than sixty days from the time such petition is received.

Section 30. The legally qualified voters of said town may decide by an initiative or referendum vote as prescribed in Section 27 of this Act the manner by which any sewer or sewers shall be constructed or paid for, and if any part of the construction thereof shall be required to be paid by the owner or owners of any property fronting on such sewer or sewers, "The Mayor and Council of Odessa" may collect the part to be paid by any such owner or owners in the same manner as is prescribed in this Act for the collection of the cost of laying pavements and taxes, etc., caused to be laid by the said "The Mayor and Council of Odessa".

Section 31. The Act entitled "An Act to Reincorporate the Town of Odessa in New Castle County", passed at Dover and approved April 3, 1905 (being Chapter 173 of Volume 23, Laws of Delaware), and all Acts amendatory thereof and supplementary thereto, and all other Acts or parts of Acts inconsistent herewith be and the same are hereby amended by striking out and repealing the same, and enacting and inserting in lieu thereof the provisions as found in this Act now passed and adopted.

Section 32. All Acts and doing of "The Mayor and Council of Odessa", or of any officer of said Town, lawfully done or performed under the Provisions of any Law of this State, or of any ordinance of said Town, are hereby ratified and confirmed.

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All debts, fines or penalties and forfeitures due to said Town, and all debts due from said Town to any person or persons or to any corporation are declared to be unaffected and unimpaired by this repeal, and all Laws of the State for the collection and enforcement thereof shall continue in full force until the same shall be lawfully paid. All the powers now conferred by law upon the Collector for the collection and enforcement of all taxes in said Town heretofore assessed and uncollected shall continue in full force and effect until all said taxes shall be fully collected and paid. The official bond of said collector shall be unaffected and unimpaired by this repeal, and he and his sureties thereon shall continue liable for any breaches of any of the conditions of said bond, and all proceedings heretofore commenced for the collection of any penalty, fine, forfeiture or debt due to said Town under any Law or ordinance shall not be affected or impaired by this repeal, but the same may be prosecuted to judgment and execution until the same be fully paid, liquidated and discharged.

Section 33. If any part of this Act shall be held unconstitutional, such holding shall not in anywise invalidate the remaining provisions of the Act.

Section 34. This Act shall be deemed and taken to be a Public Act.

Approved April 10, 1947.

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NEWPORT

AN ACT TO AMEND CHAPTER 195, VOLUME 24, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF NEWPORT" BY INCREASING AND ENLARGING THE CORPORATE POWERS OF SAID TOWN BY GRANTING TO THE TOWN COMMISSIONERS THE POWER TO LIEN REAL ESTATE FOR STREET AND ROAD CONSTRUCTION, PAVING AND CURBS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch thereof concurring therein):

Section 1. That Sections 6, 7 and 8 of Chapter 195, Volume 24, Laws of Delaware, being an Act entitled "An Act to reincorporate the Town of Newport", be and the same are hereby amended by striking out Sections 6, 7 and 8 thereof and inserting and enacting in lieu thereof the following:

Section 6. That the Commissioners for the time being, or a majority of them, shall have the superintendence and oversight of all roads and streets, lanes, alleys, curbs and gutters now open or hereafter to be opened, and shall have power and authority to cause the streets, lanes, alleys, bridges and gutters in said town to be paved, repaired, regulated, supported, removed and amended in any manner they may deem most proper for the convenience and interest of the citizens of said town. That the commissioners for the time being, or a majority of them, shall have the power, upon the application of five or more citizens of said town, by petition to them for that purpose, to reopen all streets that have previously been opened, to locate, lay out and open and pave any new street or streets which five or more citizens of said town may desire to be located and laid out and opened, allowing to the persons respectively through or over whose grounds such new street or streets may run such compensation or damages therefor as they shall deem just and reasonable under all circumstances, which compensation, if any

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be allowed, shall be paid by the Treasurer of the Town out of the moneys of said town on warrant drawn on him by the Commissioners aforesaid. That the Commissioners shall cause a fund to be raised by way of tax upon persons authorized to vote for commissioners by this act, and upon all lands and tenements and interest in such lands and tenements within the limits of said town, or by special assessment on properties specially benefited, as hereinafter provided, to discharge the expense of opening, constructing, improving or repairing the said streets, lanes, alleys, bridges, curbs and gutters, or for any other purpose that will contribute to the safety, convenience and prosperity of said town.

Section '7. That in any proceeding, taken for extending, widening, laying-out, opening, repairing or paving any street, square, lane, alley, gutter or curb under the provisions of this Act, the Commissioners shall (after assessing the damages that may result from the extending, widening or laying out or opening of such street, square, lane or alley to the owner or owners of property or ground necessary to be taken or occupied therefor, taking into consideration all the circumstances of benefit and convenience as well as of detriment to result to such owner or owners) estimate the probable entire cost of such contemplated improvement, including damages to owners of property necessary to be taken or occupied therefor, and after giving timely notice of their time and place of meeting and opportunity to persons interested residing in the Town, to be heard, make an allotment, apportionment, assessment and division of such portion as they shall deem just and reasonable of such estimated cost upon and among the persons, properties, interest and estates which will, in their judgment or that of a majority of them, be specially benefited by such improvement, according and in proportion to the quantity and extent of such benefit, according to their best judgment. In forming such judgment all those shall be deemed specially benefited by such proposed improvement who, in the judgment of the commissioners, may be benefited thereby beyond the value of any detriment which can occur to them thereby, or who may be benefited thereby without any detriment therefrom, and in either case beyond the benefit which inures to the citizens of the Town or property owners.

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therein generally by reason of such improvements. The Commissioners having made such allotment, apportionment, assessment and division of such portion of such estimated cost, shall enter such approved assessment in the record of lien book which shall be kept for that purpose. And the same being so recorded shall at once constitute and be evidence of a debt for that amount and in that behalf from the person assessed to Commissioners of the Town of Newport, and shall further, from time of its entry as aforesaid, be and remain, for a period of ten years from the date of its entry, a lien upon the lands and buildings, interest and estate in respect of which such assessment for benefit was made, and as such lien shall have priority over any lien, encumbrance or conveyance made or suffered by the owner or owners of such property after the recording of such assessment as aforesaid. In the event of a successful appeal from such a special assessment, the revised assessment shall be recorded and become a lien replacing the lien appealed from.

In the case of sale under execution process of any lands and tenements upon which such liens for road construction, paving or curbs shall exist, such liens shall be transferred to the fund arising from such sale in the hands of the officer making the same and the said real estate so sold shall be discharged therefrom.

That whenever the Commissioners shall have determined to locate and lay out or pave any new street or curb and shall have fixed the compensation or assessment therefor, it shall be their duty, immediately after the survey and location of said street, to notify in writing, by mailing notice to the last known addresses of the owner or owners and the tenant thereof, if there be one, of the real estate through or over which such new street may run of their determination to open the same, and to furnish a general description of the location thereof, and also the amount of such damages, compensation or assessment allowed as to each. If any owner be dissatisfied with the determination to lay out and open the said street, or with the amount of the compensation, damage or assessment, he may, within ten days after mailing notice from the commissioners as aforesaid, appeal from the said determination or assessment, or both by serving writ-

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ten notice to that effect on the said commissioners, or some one of them. In order to prosecute said appeal such owner or owners shall, within ten days after the expiration of the ten days allowed for appeals, apply to a Justice of the Peace, residing in or near said town, who shall, within three days thereafter, and upon notice to the said commissioners, or some one of them, select and write down on a list the names of twenty-one judicious and impartial freeholders, nine of whom shall be freeholders, of Christiana Hundred owning no real estate in said town and not residing within its limits, and the remaining twelve be freeholders owning real estate in said town and residing within its limits. The said commissions shall, upon receiving said notice from the justice, immediately notify all persons owning real estate on the said street, and residing in said town, who have notified them of their intention to appeal, of the time and place when and where the said names will be selected, and at the time and place mentioned in the notice of the justice, the said appellants, or as many of them as choose, and the said commissioners, shall attend. The appellants, their agent or attorney, shall first strike out one of said names, and the commissioners, their agent, or attorney, shall strike out another, until each shall have struck out seven; such striking shall be so confined and regulated as to leave seven remaining freeholders located as follows, viz: four residing in said town and three residing out of said town, who shall constitute the freeholders who shall determine concerning the necessity of said street and assess the damages of all owners of real estate through or over whose ground the said street shall run who shall have notified the commissioners of their intention to appeal, and their award and assessment shall be final, and a copy thereof shall be communicated to all parties, appellants and commissioners. In case either side, commissioners or appellants, be not represented before the justice, or shall refuse to strike, the justice shall strike for the party so absent, neglecting or refusing. Any party, appellant or commissioner, may, within ten days after the appointment of said freeholders, and upon five days' notice to the other parties resident in said town, or in case of non-resident notice to the holders of any real estate, call out the freeholders, aforesaid, who shall thereupon proceed, upon oath or affirmation, to inquire of the necessity of such

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street, and in the case they deem such street to be necessary to assess the damages and benefits of the several owners. Their award shall be made within twenty days from the time of notifying them to meet. If any freeholder thus appointed and notified shall refuse to serve he shall forfeit the sum of Twenty Dollars to be recovered in an action of debt before any Justice of the Peace of New Castle County in the name of the Town Commissioners for the use of said town. If in case the award of the freeholders shall be against the necessity of any such street, then no petition for any such new street so condemned shall be entertained by the Commissioners then acting during the terms for which they were elected. The act of a majority of said freeholders shall be as good as an act of the whole in making any such award or assessment of damages.

Section 8. After the damages and benefits shall be fixed and ascertained by the freeholders, the commissioners aforesaid shall have the option to pay the damages assessed as aforesaid and to proceed with the said improvements, or, upon payment of the costs, may abandon the proposed improvements.

Approved April 10, 1947.

CHAPTER 275

DOVER

AN ACT TO AMEND CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, ENTITLED "AN ACT CHANGING THE NAME OF 'THE TOWN OF DOVER' TO 'THE CITY OF DOVER' AND ESTABLISHING A CHARTER THEREFOR", BY AUTHORIZING THE SAID "THE CITY OF DOVER" TO ESTABLISH AND PROVIDE A SYSTEM OF PENSIONS, DEATH BENEFITS AND LIFE, ACCIDENT AND HEALTH INSURANCE BENEFITS FOR EMPLOYEES OF THE SAID "THE CITY OF DOVER".

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members elected to each House thereof concurring therein):

Section 1. That Chapter 158, Volume 36, Laws of Delaware, be and the same is hereby amended by adding a new paragraph at the end of Section 3 of said Chapter 158, Volume 36, Laws of Delaware, as amended, reading as follows:

The City of Dover is hereby authorized, empowered and permitted to establish a system of pensions or benefits through group insurance or otherwise as may be found proper and necessary, providing for life, accident, health, hospitalization and death benefits, or any or either of them, for the regular employees of the said "The City of Dover". The said "The City of Dover" is hereby authorized, empowered and permitted to enter into an agreement or agreements with one or more insurance companies to provide a group insurance plan or plans, as may be required or proper to carry out such system of pensions or benefits. The election to exercise such authority on the part of the City shall be evidenced by an ordinance or resolution duly adopted by the Council of The City of Dover as other ordinances or resolutions are adopted, and the same shall be recorded in the official minutes of the said Council. Such ordinance or resolution shall provide for and establish a fund for the payment of the costs of such pension system or benefits by making appropriations out

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of the Treasury of the said "The City of Dover", or by requiring contributions payable from time to time by the employees included in such plan or plans, or by a combination of both, or by any other method not prohibited by law. The participation in any plan adopted shall be entirely voluntary on the part of any employee at all times. All payments and benefits paid and allowed under any plan authorized by this Act shall be in addition to and in no manner in lieu of the provisions of the Delaware Workmen's Compensation Act.

Approved April 10, 1947.

CHAPTER 276

SMYRNA

AN ACT AUTHORIZING "THE TOWN OF SMYRNA" TO BORROW EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00) AND TO ISSUE BONDS THEREFOR FOR THE PURPOSE OF EXTENSION AND IMPROVEMENT OF THE WATER AND SEWER SYSTEMS, THE ELECTRICAL DISTRIBUTION SYSTEM AND THE STREETS IN THE TOWN OF SMYRNA.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch thereof concurring therein):

Section 1. That THE TOWN OF SMYRNA, a municipal corporation created by and existing under the laws of the State of Delaware, be and it is hereby authorized and empowered to borrow on the faith and credit of THE TOWN OF SMYRNA a sum of money not in excess of Eighty-five Thousand Dollars (\$85,000.00) for the purpose of extension and improvement of the water and sewer systems, the electrical distribution system and the streets in The Town of Smyrna.

Section 2. That the Mayor and Town Council of THE TOWN OF SMYRNA, for the purposes set forth in Section 1 of this Act, shall have full power and authority to issue bonds of THE TOWN OF SMYRNA to an amount not exceeding in the aggregate the sum of Eighty-five Thousand Dollars (\$85,000.00) and that said bonds shall be known as "SMYRNA WATER AND SEWER, ELECTRICAL AND STREET BONDS, SERIES OF 194.....", the year in which the bonds are issued.

Section 3. That the said bonds shall be issued in one or more series, shall bear such date or dates, shall mature at such time or times, not exceeding twenty-five years from their respective dates, shall bear interest at such rate or rates not exceeding four per cent per annum, shall be payable at such time or times and at such place or places and shall be in denominations and shall contain such other provisions all as said Mayor and Town

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Council may provide and as shall be set forth in the bonds. The said bonds may be or may not be coupon bonds and may be registered or otherwise as said Mayor and Town Council may deem advisable. Any and all of said bonds may be provided to be redeemable at the option of the said Mayor and Town Council, at par and accrued interest, at such interest date or dates and upon the expiration of such period or periods of time after their date or dates, as the said Mayor and Town Council may provide and as shall be set forth in the bonds, and upon any election to redeem as provided in the bonds, such redemption shall be made in pursuance of notice signed by the Mayor of THE TOWN OF SMYRNA and shall be published once a week for three consecutive weeks in a newspaper published in the City of Wilmington, Delaware, and also in a newspaper published in Kent County, Delaware. Such notice shall indicate the bonds so called for redemption and in making such call or calls, the said Mayor and Town Council shall select the bonds to be redeemed by lot, or in such other manner as the said Mayor and Town Council deem advisable at the time of their issue and as shall be set forth in the bonds. The interest on bonds so called for redemption shall cease from the redemption date or dates set forth in any redemption call or calls.

Section 4. That the Mayor and Town Council of THE TOWN OF SMYRNA shall direct and effect the preparation and sale of the bonds which are authorized by this Act, at such time or times, at such price or prices and upon such terms as the said Mayor and Town Council shall deem advisable, and all the monies arising from the sale of said bonds shall be used for the carrying out of the purposes and provisions of this Act.

Section 5. That the form of said bonds, and of any coupons which may be thereunto attached, shall be as prescribed by said Mayor and Town Council, and all such bonds shall be signed by the Mayor of THE TOWN OF SMYRNA and by the Treasurer of THE TOWN OF SMYRNA and shall be sealed with the corporate seal of said municipal corporation, and the said bonds shall be exempt from all State, County and Municipal taxes. As the said bonds, and any coupons thereto originally attached, shall be paid, the same shall be cancelled as the Mayor and Town Coun-

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cil may direct. Facsimile signatures of the Mayor of THE TOWN OF SMYRNA and of the Treasurer of THE TOWN OF SMYRNA may be imprinted upon any and all Coupons that may be attached to the bonds, in lieu of the signatures of the said Mayor and of the said Treasurer in their own original handwriting.

Section 6. That the Mayor and Town Council of THE TOWN OF SMYRNA are hereby authorized and required to levy and raise by taxation in each and every year such sum of money as may be required to pay the interest accrued on said bonds while all or any of said bonds remain unpaid, and the said Mayor and the Town Council are further authorized and required to levy and raise by taxation, from time to time such sum or sums of money as shall be needed to establish such sinking fund as the said Mayor and the Town Council may at their discretion authorize for the redemption of said bonds, or any of them, at or before their maturity, and such sum or sums of money as shall be required to otherwise redeem any or all of said bonds at or before their maturity. Taxes for interest and for redemption of said bonds shall be levied and raised as taxes for general municipal purposes in the said Town are levied and raised, and shall be in addition to the taxes levied and raised for any and all other municipal purposes.

Section 7. That the bonds authorized by this Act may be issued at one time and in one series, or at different times and in different series, as the Mayor and the Town Council may determine, and authority to issue and sell any bonds or number of bonds under this Act shall not be deemed to be exhausted until the aggregate of the amount of bonds issued under this Act shall be Eighty-Five Thousand Dollars (\$85,000.00). The bonds authorized to be issued under this Act shall be in addition to the present Ninety Thousand Dollars (\$90,000) outstanding bonds of THE TOWN OF SMYRNA and bonds which may hereafter be issued as a refunding of said present outstanding bonds.

Section 8. That the faith and credit of THE TOWN OF SMYRNA are hereby pledged for the due payment of all of the bonds that may be issued under the provisions of this Act.

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Section 9. That before any bonds shall be issued under the provisions of this Act, the said bond issue shall be approved by a referendum vote of the qualified voters of THE TOWN OF SMYRNA. Notice of the holding of such referendum election shall be authorized by resolution of the Mayor and Council, published once a week for at least three consecutive weeks in The Smyrna Times, a newspaper published in the Town of Smyrna, otherwise in a newspaper published elsewhere in Kent County. Such notice shall set out in summary form the amount and purposes of such bond issue, the date and place of holding the referendum election and the hours the polls will be open.

At said referendum election every resident and non-resident taxable of said Town, of the age of twenty-one years, or upwards, who has, by the time of voting, paid all town taxes theretofore assessed to him and/or assessed against the property he owns at the time of the referendum election, shall be entitled to vote and shall have one vote for each dollar, or fractional part of a dollar, of taxes paid by him according to the last town assessment and tax payment records preceding the referendum election. The judge of the election shall note on the outside of each ballot, before he deposits the ballot in the ballot box, the number of votes to which each voter is entitled, in accordance with Town assessment and tax payment records.

In cases of jointly owned property, the votes of the owners of shares therein shall be in accordance with their respective shares, or if all owners appear at the polls and so consent, all of the votes may be cast by the owner of any share, except that the spouse first present at the polls may cast all the votes in reference to property held by husband and wife as tenants by the entirety. Life tenants shall have the entire vote as to the property so held, and holders of remainder interest only shall have no vote by reason thereof.

The Mayor and Council shall provide sufficient ballots which shall have printed thereon "For Bond Issue" and "Against Bond Issue". Each voter shall indicate his preference by making a clearly legible mark, by pencil or in ink, opposite the words showing his preference, or by merely striking out the alternative to

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which he is opposed, or by said mark of preference and also by striking out the alternative to which he is opposed. Any other writing and/or form of marking the ballot, except the number of votes noted thereon by the Judge, shall render it void. No voting by proxy shall be permitted.

The Mayor and Council shall, prior to the date of the referendum election, appoint one judge and two clerks to pass upon the qualifications and number of votes of each voter and to conduct the election, and a majority of the election officers present at the opening of the polls shall fill any vacancy among the election officers. A majority of the election officers shall be sufficient to decide the qualifications and the number of votes of the voters. The Mayor and Council, prior to the date of the referendum election, shall designate either the Town Manager or other Town employee familiar with the Town assessment and tax payment records to attend the election with the last Town assessment and tax payment records for the inspection of the election officers. The referendum election shall be held not less than thirty days after the approval of this Act and at such date thereafter as the Mayor and Council shall designate after having first determined the extent of the present and probable future municipal improvements and having available such estimates of the probable cost of the same as they deem advisable. The referendum election shall be held at such suitable place in the said Town as the Mayor and Council shall designate in said published notice. The polls shall be open from 2 o'clock P. M. (Eastern Standard Time) and shall close at 7 o'clock P. M. (Eastern Standard Time), unless at the time of said election Daylight Saving Time be in effect in said Town in which case the polls shall open at 2 o'clock P. M. (Daylight Saving Time) and shall close at 7 o'clock P. M. (Daylight Saving Time). The judge of the election shall, in the case of a tie vote on the bond issue, cast the deciding vote, otherwise he shall refrain from voting, but the election clerks may vote.

The election clerks shall each keep a separate tally sheet and their tally sheets shall be compared and must agree as to the total votes cast for and the total votes cast against the bond issue. Both tally sheets shall then be certified as correct by at

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least two of the election officers and be delivered to the Mayor, or to the Secretary of Council, immediately after the tally sheets are compared, are in agreement and have been certified.

The Mayor and Council shall at the next regular meeting after the election, or at a special meeting, receive the results of referendum election and make the same a part of the minutes of said meeting, whereupon if a majority of the votes cast were "For Bond Issue" this Act immediately shall become effective and the bonds herein provided for, and not exceeding Eighty-five Thousand Dollars (\$85,000.00), may be issued and sold as in this Act provided, but if at such referendum election the majority of the votes cast were "Against Bond Issue," then no bonds shall be issued nor shall any money be borrowed under this Act.

Section 10. That a statement appearing in the bonds which may lawfully be issued under the provisions of this Act to the effect that the bonds have been duly authorized, shall be deemed and held to be conclusive evidence in favor of the lawful holder of any such bonds that the terms and conditions of this Section and the Act as a whole, have been fully met and complied with.

Approved April 10, 1947.

CHAPTER 277

WOODSIDE

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WOODSIDE IN KENT COUNTY RELATING TO TAXATION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch thereof concurring therein):

Section 1. That Chapter 229, Volume 26, Laws of Delaware, as amended, be and the same is hereby further amended by striking out and repealing so much of line four of paragraph one of Section 6 thereof as reads as follows:

“three hundred dollars”

and enacting and inserting in lieu thereof the following, to wit:

“five hundred dollars”.

Section 2. That Chapter 229, Volume 26, Laws of Delaware, as amended, be and the same is hereby further amended by striking out and repealing the word “male” in line 6 of paragraph two of Section 6 thereof.

Section 3. That Chapter 229, Volume 26, Laws of Delaware, as amended, be and the same is hereby further amended by striking out and repealing so much of line eight of paragraph two of Section 6 thereof as reads as follows:

“at least fifty cents per head”

and enacting and inserting in lieu thereof the following, to wit:

“not more than two dollars (\$2.00) for each such citizen”.

Approved April 10, 1947.

CHAPTER 278

BLADES

AN ACT TO AMEND CHAPTER 155, VOLUME 28, OF THE LAWS OF DELAWARE ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BLADES" BY INCREASING THE AMOUNT OF THE ASSESSMENT OF EVERY CITIZEN OF THE TOWN ABOVE THE AGE OF TWENTY-ONE YEARS FROM ONE DOLLAR PER CAPITA TO TWO DOLLARS PER CAPITA.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each Branch of the Legislature concurring therein):

Section 1. That Chapter 155, Volume 28, of the Laws of Delaware, be amended by striking out Section 22, and inserting and enacting in lieu thereof another section to be known as Section 22, in the following language:

Section 22. It shall be the duty of the Assessor of said Town annually to assess every citizen of the Town above the age of twenty-one years Two Dollars per capita, and also the real and personal property of every citizen subject to County assessment and taxation; also non-residents who may own real estate in the Town of Blades, all of which shall be assessed at its actual value. Provided, that all single lots, pieces and parcels of land included within the limits of the Town as herein set forth, exceeding one acre in quantity shall be assessed as farm land of the said Town of Blades, if said lots, pieces and parcels of land have no dwelling houses thereon; but every such lot, piece and parcel of land exceeding one acre as aforesaid and having a dwelling house thereon shall be assessed as if it were a single town lot; unless such lands are plotted and laid out into building lots, in which event each lot shall be assessed as its actual value. The said Assessor shall make such assessments to the best of his knowledge and belief, and return the same to the Council of said Town within six weeks next after the election of said Assessor. The Council of said Town shall within five days next after receiving said assessment list cause a full and complete transcript of said assessment list to be hung up in the post-office in said

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Town, there to remain for the space of ten days thereafter for public inspection, and the said Council shall, on the Monday next after the expiration of the said ten days, hold a Court of Appeals which shall continue open from Two o'clock P. M. until four o'clock P. M. of said day, when they shall hear and determine appeals from said assessment. Notice of the hanging up of the said assessment list, and also at the same time notice of the time and place of hearing appeals shall be given by posting such notice in at least five public places in said Town of Blades. The determination of the Council of said Town upon any appeal or upon any matter relating to such assessment, shall be final and conclusive. No member of Council of said Town shall sit upon his own appeal, but the same shall be heard and determined by the other members of said Council. After the said valuation and assessment shall be examined and adjusted by the Council of said Town, all taxes shall be levied, assessed and raised on the real estate, personal property and persons thus valued and assessed, in just and equal proportions and rates, over and above the Two Dollar per capita on each citizen of said Town as hereinbefore provided. The Assessor before entering upon the duties of his office shall be sworn or affirmed diligently, faithfully and impartially to perform the duties of his office to the best of his ability, knowledge and judgment, which oath or affirmation may be administered to him by the President of said Council, or by any member thereof, or by any Justice of the Peace or Notary Public.

Section 2. That Chapter 155, Volume 28, Laws of Delaware, as amended, be and the same is hereby further amended by striking out and repealing so much of lines 32 and 33 of Section 2 thereof reading as follows:

"The election shall be opened at one o'clock P. M.,
and closed at four o'clock P. M.",

and enacting and inserting in lieu thereof the following:

"The election shall be opened at two o'clock P. M.,
and closed at six o'clock P. M."

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Section 3. If any provision of this Act or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions or application of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Approved April 10, 1947.

CHAPTER 279

SELBYVILLE

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF SELBYVILLE" BEING CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, BY PROVIDING THAT THE ALDERMAN OF THE TOWN OF SELBYVILLE SHALL RECEIVE THE SAME FEES AS A JUSTICE OF THE PEACE, AND PROVIDING THAT THE TOWN CONSTABLE OF SELBYVILLE SHALL RECEIVE THE SAME FEES AS A COUNTY CONSTABLE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring therein):

Section 1. That Section 14 of an Act entitled "An Act to Reincorporate the Town of Selbyville" being Chapter 166, Volume 37, Laws of Delaware, as amended, be and the same is hereby further amended by striking out all of next to the last sentence of said Section 14 and inserting in lieu thereof the following:

"In all such cases, the fees of the Alderman shall be the same as those of a Justice of the Peace for like services, and the fees of the Town Constable shall be the same as those of a County Constable for like services."

Approved April 10, 1947.

CHAPTER 280

SELBYVILLE

AN ACT TO AUTHORIZE "THE MAYOR AND COUNCIL OF THE TOWN OF SELBYVILLE" TO BORROW MONEY AND TO ISSUE BONDS TO SECURE THE PAYMENT THEREOF FOR THE PURPOSE OF PROVIDING A SEWER SYSTEM AND SEWAGE DISPOSAL WORKS FOR SAID TOWN, AND TO CONTROL AND REGULATE THE SAME.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House thereof concurring therein):

Section 1. That "The Mayor and Council of the Town of Selbyville", a municipal corporation of the State of Delaware, be, and it is hereby, authorized and empowered to borrow, on the faith and credit of the Town of Selbyville, a sum of money not exceeding Two Hundred Fifty Thousand Dollars (\$250,000.00), which may be applied, appropriated and expended to build, construct, maintain and operate, under such rules and regulations as "The Mayor and Council of the Town of Selbyville" may deem necessary and proper, a sewer system and sewage disposal works for the use and benefit of the Town of Selbyville and its inhabitants.

Section 2. That the said "The Mayor and Council of the Town of Selbyville", for the purpose of carrying into effect the provisions of this Act, is hereby authorized and empowered to issue bonds of the municipal corporation of such denominations as the said "The Mayor and Council of the Town of Selbyville" may deem best, said bonds to be known as "Selbyville Sewer Bonds", all of which are to bear the same date and to bear interest at a rate not exceeding four percentum (4%) per annum, payable semi-annually at the office of Baltimore Trust Company, at Selbyville, Delaware. The principal of said bonds shall be made payaable at the expiration of twenty-five (25) years from the date of issue thereof, subject, however, to redemption at the option of "The Mayor and Council of the Town

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of Selbyville" at any interest period after the issuance of the bonds, after notice to that effect published in at least one issue of a newspaper published in Sussex County, Delaware.

Section 3. That the said "The Mayor and Council of the Town of Selbyville" shall direct and effect the preparation and printing of the bonds authorized by this Act, and shall also prescribe the form of said bonds, which shall be signed by the Mayor and by the Treasurer of the said "The Mayor and Council of the Town of Selbyville" and shall be sealed with the corporate seal of said corporation. Said bonds shall be exempt from all State, County and Municipal taxes. The bonds may or may not be coupon bonds as "The Mayor and Council of the Town of Selbyville" may determine.

Section 4. "The Mayor and Council of the Town of Selbyville" shall direct the sale of the said bonds authorized by this Act at such time or times and on such terms as the said "The Mayor and Council of the Town of Selbyville" shall deem expedient.

Section 5. That the said "The Mayor and Council of the Town of Selbyville" is hereby authorized and required to assess and collect annually in the same manner as is now provided by law for assessing and collecting other taxes for municipal purposes, a special tax, which in addition to the estimated net revenue to be derived from sewer rentals shall be sufficient to pay all the interest accruing on said bonds. And it is further hereby authorized and empowered to assess and collect annually in the same manner a further special tax for the purpose of establishing a sinking fund adequate for the redemption at maturity, as prescribed in this Act, of the bonds issued under the provisions of this Act; provided, that the amount to be raised by taxation for the purpose of establishing said sinking fund for the redemption of said bonds shall not exceed the sum of Ten Thousand Dollars (\$10,000.00), in any one year. The sinking fund so to be provided shall be deposited in the Baltimore Trust Company, at Selbyville, Delaware, until such time as it may be needed for the redemption of any or all of said bonds.

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Section 6. That the said "The Mayoer and Council of the Town of Selbyville" is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said sewer system and sewage disposal works and to provide for the care and maintenance of the same, and to purchase all such instruments, appliances and supplies as may be necessary for establishing said sewer system and sewage disposal works in said town, and for furnishing the citizens and inhabitants thereof with proper and adequate sewerage facilities, and to effect the same "The Mayor and Council of the Town of Selbyville" shall have the power and authority to lay pipes and conduits under and along any of the streets, lanes, alleys or highways of said town, or any road adjacent thereto, and also to contract and agree with the owner or owners for the occupation or purchase of any land or lands which may be necessary for the purpose of carrying into effect the provisions of this Act. In the event, however, that any owner of property should fail to agree with the Town, "The Mayor and Council of the Town of Selbyville" shall have full power of eminent domain over any lands or property rights required for any purpose connected with the installation or operation or extension of the said sewer system and shall be able to condemn property rights for the use of the sewer system in the same manner and to the same extent as the Mayor and Council of Selbyville are authorized to do in connection with the public streets within the said Town. "The Mayor and Council of the Town of Selbyville" shall have authority to require any premises to be connected to the sewer system, and in the event that any property owner should neglect to connect his property immediately after ordered to do so by "The Mayor and Council of the Town of Selbyville", the said Mayor and Council shall have the authority to connect the premises with the sewer as ordered and to collect the cost of such connection by the same process as Town Taxes are collectable. The said "The Mayor and Council of the Town of Selbyville" shall have the supervision and control of all public pipes, sewers and drains connected with said sewer system and sewage disposal works, whether within or without the corporate limits of said Town of Selbyville, and may alter, repair and remove the same and may cause new pipes, drains and sewers to

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be made and opened. The said "The Mayor and Council of the Town of Selbyville" may cause such pipes, sewers and drains to be laid in any of the said streets, lanes, alleys or highways of the said town in such manner and of such material as it, the said "The Mayor and Council of the Town of Selbyville" may deem proper. The said "The Mayor and Council of the Town of Selbyville" is hereby authorized to make rules regulating the tapping or use of public sewers by the owners of abutting land, and shall provide for the granting of permits for the same and for the payment of such tapping fees and sewer rental charges as the said "The Mayor and Council of the Town of Selbyville" shall deem proper; and it shall prescribe the material of all private drains or sewers which shall enter into any public sewer and shall direct the manner in which they shall be laid.

Section 7. That the said "The Mayor and Council of the Town of Selbyville" is authorized and empowered to engage the services of such agents and servants as it may deem necessary in the erection and completion of said sewer system and sewage disposal works as herein provided.

Section 8. That the said "The Mayor and Council of the Town of Selbyville" is hereby authorized and empowered to adopt such ordinances as it may deem necessary for the operation, management and control of said sewer system and sewage disposal works, and shall grant to all persons and corporations in the said Town of Selbyville the privilege of using said sewers in such manner and upon such terms and conditions as may seem just and proper to the said "The Mayor and Council of the Town of Selbyville".

Section 9. The Two Hundred Fifty Thousand Dollars (\$250,000.00) of bonds and various forms of indebtedness to be paid by the moneys arising from the sale of the bonds issued under the provisions of this Act shall be cancelled when the same is paid by writing on the face of each bond or other form of indebtedness the words "Cancelled and Paid" with the date of payment and signed by "The Mayor and Council of the Town of Selbyville", and the bonds or other forms of indebtedness so cancelled shall be preserved by "The Mayor and Council of the Town of Selbyville".

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Section 10. That before the provisions of this Act shall go into effect the borrowing of a sum of money not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), as afore-said, shall be submitted to and approved by a majority of the votes cast at a special election. The said election shall be called by "The Mayor and Council of the Town of Selbyville" and shall be held, certified to and recorded in the same manner as the election of the officers of said Town. At such election each person shall be qualified to vote one vote for every dollar of property tax which is assessed against him on the books of "The Mayor and Council of the Town of Selbyville" as of the date of the election. If the borrowing of the said money shall not be approved by a majority of the said votes at said special election, the said "The Mayor and Council of the Town of Selbyville" is authorized and directed to call any other special elections from time to time, to be held in like manner and for the same purpose as the above described election, with the provision that no two special elections shall be called for this purpose within six months of each other.

Section 11. That the faith and credit of the Town of Selbyville are hereby pledged for the payment of bonds authorized to be issued under the provisions of this Act.

Approved April 14, 1947.

CHAPTER 281

SEAFORD

AN ACT EXTENDING THE CORPORATE LIMITS OF THE CITY OF SEAFORD.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring therein):

Section 1. That it shall hereafter be lawful for the City of Seaford to extend its corporate limits so as to include all or any part of the following proposed addition to the present limits of the City of Seaford:

Beginning at a point near the center of the Seaford Milling Company's Mill Dam near where the old waste gates formerly stood, said point being marked by a monument, which is set in the road at a distance of 25 ft. from said point, and at right-angles to the first course of this description; thence running from said point N. 72° 02' W. 231 ft. to a monument; thence N. 45° 32' W. 276.5 ft. to a monument set on the prolongation of the south side of Poplar Street; thence N. 0° 32' W. and running on a course parallel with and at a distance of 473.4 ft. from the easterly line of North Street, 2,466 ft. to a monument set on the southeasterly line of the State Highway leading to Bridgeville. (NOTE: The above three courses are taken from the survey of February, 1917. They are the present City Limit lines, and no change is being made in them. The following courses are the proposed new lines.)

Beginning at a monument set at the end of the third course of the present boundaries of the City of Seaford, thence continuing on with the same course N. 0° 32' W. 49.65 ft. to the center-line of the present concrete pavement of the State Highway leading to Bridgeville; thence N. 31° 24' E. 170.8 ft. to a P. T. of a curve at station 1025.31, according to the State Highway Department survey of said highway; thence down the center of said highway N. 29° 45' E. 1,889.8 ft. to a cross cut in the pavement on the present center-line, and in line with a fence between lands of Charles Hurley, and E. C. Davis; thence down said fence line

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N. $76^{\circ} 46'$ W. 821 ft. to a corner fence post; thence S. $16^{\circ} 39'$ W. 14.6 ft. to a corner fence post; thence with a fence line between lands of J. G. Webster and lands of E. C. Davis N. $75^{\circ} 48'$ W. 794.6 ft. to a corner fence post; thence continuing with a fence line between lands of J. G. Webster, and lands of E. C. Davis S. $10^{\circ} 32'$ W. 1,071.4 ft. to a post at the end of a hedgerow; thence down said hedgerow and along line for lands of E. C. Davis S. $85^{\circ} 22'$ W. 908.9 ft. to a Cherry tree standing in an angle of said hedgerow; thence continuing with said hedgerow S. $79^{\circ} 21'$ W. 2,319.5 ft. to a cross cut in the center of the road leading to Ross Switch; thence down center-line of said road N. $12^{\circ} 35'$ W. 190.9 ft. to a cross cut in the center of said road, and in line with a short hedgerow between lands of Lloyd F. Beard and E. C. Davis; thence down said hedgerow and continuing on in a straight line passing near the northern line of "Murrall Park", and running about 10 ft. inside the southern boundary of the lands of Dr. Thomas Cottingham S. $72^{\circ} 00'$ W. 3,469 ft. to the center-line of the State Highway leading to Wesley Church, continuing on same course S. $72^{\circ} 00'$ W. through lands of Robert and Earl Tull 1,713.8 ft. more, or a total of 5,182.8 ft. to a stake set in the field of the said Tull's; thence S. $7^{\circ} 34'$ E. 1,621 ft. to the center-line of the State Highway leading to Reliance, continuing on same course S. $7^{\circ} 34'$ E. parallel to, and 25 ft. distant from a line of monuments set along the westerly side of "Westview" 2,542.5 ft. more, or a total of 4,163.5 ft. to the center-line of the C. & S. R. R.; thence down the center-line of said railroad S. $6^{\circ} 49'$ E. 2,702 ft. to a point of a compound curve in said line; thence from said P. C. deflecting angles to the left, and measuring in 100 ft. chords to the arc, the following 443.3 ft. of distance: $0^{\circ} 48'$ L. to sta. 1-00; $2^{\circ} 22'$ L. to sta. 2-00; $4^{\circ} 18'$ L. to sta. 3-00; $6^{\circ} 18'$ L. to sta. 4-00; $7^{\circ} 12'$ L. to sta. 4-43.3 and the center-line of Harrington Street extended. This point being S. $74^{\circ} 01'$ E. from the said Point-of-Curve; thence down the center-line of Harrington Street extended N. $48^{\circ} 22'$ E. 1,151.7 ft. to a cross cut in the center of the pavement at the intersection with the nineteenth (19) course of the present City boundary lines, as run in the year A. D. 1917, and 53.5 ft. from the beginning of said nineteenth course;

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(NOTE: The following courses are computed from the angles turned in the 1917 survey).

thence with the present boundary lines as described in the survey of 1917, with no changes therein S. 15° 43' W. 530.5 ft. to a stone set for a corner of lands of Isaac Willin; thence S. 60° 47' E. along the westerly line of lands of said Isaac Willin, intersecting the center-line of the tract of the C. & S. R. R. at a distance of 165.8 ft. from the last named corner, and forming an angle of 122° 52' with the forward tangent as now laid down, and continuing same course an additional distance of 35.7 ft. to a stone set on the southerly right-of-way line of the C. & S. R. R. also a corner of the lands of Mrs. T. E. Willin; thence S. 65° 55' E. along the easterly side of a road (same being the line of lands of Mrs. T. E. Willin), to a Persimmon tree, a corner of lands of said Mrs. T. E. Willin 335.8 ft.; thence S. 46° 51' E. along the line of lands of C. & S. R. R. Co. and along the easterly side of above-named road to a monument 358 ft.; thence S. 21° 37' E. along the easterly side of a road to a stone set for a corner of the lands of the Delaware Shipbuilding Company 240.4 ft.; thence S. 44° 08' W. along line of lands of Delaware Shipbuilding Company to a monument on the southerly side of road 228.4 ft.; thence S. 10° 43' W. partly along line of lands of the Delaware Shipbuilding Company and lands of John Palmer, and along the southerly side of a road to a monument on the southerly side of the road 330 ft.; thence S. 5° 58' W. along line of lands of the Delaware Shipbuilding Company to a monument set for a corner of the lands of the Delaware Shipbuilding Company 275.3 ft.; thence S. 5° 53' E. along the line of the lands of the Delaware Shipbuilding Company, passing through the decayed stump of a large Sycamore tree standing at the edge of the wharf of the Allen Package Company (said tree and edge of wharf being at a distance 182.5 ft. from last-named monument) and continuing along said course to the line of low water of the Nanticoke River; thence up the said Nanticoke River to Herring Run or Clare Creek Branch; thence up the said run or branch with the several meanderings thereof to the Seaford Milling Company's Mill Dam, the place of beginning.

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Section 2. Before the corporate limits of The City of Seaford shall be extended as aforesaid, there shall be an election held in all or any portion of such proposed addition pursuant to the provisions of Chapter 120, Volume 42, Laws of Delaware. The election shall not be called except by resolution of the City Council to that effect. In the event that the qualified voters of any particular section do not approve of its annexation to the City, this same act may be used as authority for a subsequent election or subsequent elections, but no election of this kind may be held in any particular section within two years from the last preceding election.

Section 3. If in any section of this proposed addition to the City of Seaford a majority of the votes cast in accordance with the plan specified in the above-named statute shall be in favor of such annexation, the City Council of The City of Seaford shall cause a plot of that addition of the City of Seaford to be recorded in the Recorder's Office at Georgetown. The extension of the city limits shall become effective at law at the time the said plot is recorded.

Section 4. The powers to hold and acquire by condemnation real and personal property within the limits of the City of Seaford, conferred by Sections 2 (a) and 27 of the Act entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor", being Chapter 184, Vol. 43, Laws of Delaware, shall not extend to the acquisition by condemnation of any real or personal property or franchises of any public utility corporation, or other corporation, which at the time when this Act shall become effective is engaged in the business of furnishing electric light, electric power, and gas, or any of them, within the territory which may hereafter be included within the limits of the City of Seaford pursuant to the provisions of this Act.

Approved April 14, 1947.

CHAPTER 282

BETHEL

AN ACT CHANGING THE CORPORATE NAME OF "COMMISSIONERS OF THE TOWN OF BETHEL" TO "THE TOWN OF BETHEL" AND ESTABLISHING A CHARTER THEREFOR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch thereof concurring therein):

NAME AND TERRITORIAL LIMITS

Section 1. The municipal corporation of the State of Delaware, now known as "Commissioners of the Town of Bethel" shall hereafter be known as "The Town of Bethel".

The Boundaries of the Town of Bethel are hereby established and declared to be the same boundaries and limits that have been heretofore determined and as are designated and delineated on a plot of the Town of Bethel of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 189, page 530.

Section 2. (A) The inhabitants of the town of Bethel, within the limits and boundaries referred to in Section 1 of this Act, or within the limits and boundaries hereafter established, shall be and they are hereby created a body politic and corporate in Law and Equity by the Corporate name of "The Town of Bethel", hereinafter called The Town, and under that name shall have perpetual succession; may have and use a corporate seal, which may be altered, changed or renewed at pleasure; may sue and be sued, plead and be impleaded in all Courts of law and equity in the State of Delaware, and elsewhere, by said corporate name, may hold and acquire by purchase, gift, devise, lease or by condemnation real property and personal property within or without its boundaries for any municipal purposes, in fee simple or for lesser estate or interest, and may sell, lease, hold, manage and control such property as its interest may require, subject however to other sections of this Act.

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As hereinafter provided in Section 22 of this Charter relating to power to issue Bonds, the Town shall have all other powers and functions requisite to, or appropriate, for the government of the Town, its peace and order, its sanitation, beauty, the health, safety, convenience, comfort and well being of its population and the protection and preservation of property, public and private; and all actions, suits, and proceedings shall be brought in the name of "The Town of Bethel".

(B) The enumeration of particular powers by this Charter shall not be held to be exclusive, but in addition to the powers enumerated herein, it is intended that the Town of Bethel shall have, and may exercise, all powers as may be implied therefrom or necessary to the reasonable exercise of such enumerated powers. All powers of the Town of Bethel shall be exercised as prescribed by this charter, or, if not prescribed herein, by ordinance or resolution of the Town Council.

STRUCTURE OF GOVERNMENT

Section 3. The Government of the Town and the exercise of the powers conferred by this Charter, except as otherwise provided herein, shall be vested in a Town Council. The Town Council shall consist of five members, who shall be citizens of the State of Delaware and residents and non-delinquent taxables of the said Town above the age of twenty-one years, three of whom at least shall be freeholders, within the said Town in their own name, at the time of their nomination and election, provided however that any married man, resident of said Town, whose wife is a freeholder of said Town, may be elected a member of said Council, although he may not be the owner in his own right, in any real estate within said Town. No compensation shall be paid to Councilmen.

ELECTION IN GENERAL

Section 4. The present commissioners of the town of Bethel shall by this Act be appointed to serve and shall act as Councilmen of said Town from and after the passage hereof until Councilmen are duly elected; and that at the annual election held on the last Saturday in February, 1947 after the passage of this

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Act as provided for in Section 5 of this Act, five Councilmen shall be elected, two of whom shall be elected for one year, two for two years, and one for three years; and thereafter the successor of every Member of the Town Council shall be elected by the qualified voters as defined in Section 5 of this Act to serve for a term of three years.

MANNER OF HOLDING ELECTIONS AND MAKING NOMINATIONS

Section 5. (A) The annual municipal election shall be held on the last Saturday in the month of February from one o'clock P. M. until four o'clock P. M., at such place as shall be determined by the Council, due notices of which shall be given by posting notices in five public places within the limits of the Town of Bethel, not less than ten days before the day of the annual election.

(B) Said members of the Council shall be nominated as follows, viz:

At least ten days before the day of the election nominations shall be filed with the Secretary of the Council. Said nominations shall be in writing signed by the nominee or by five other citizens of the Town, of which at least two of whom shall be freeholders, which nominations shall be presented to the Council by the said Secretary at the meeting to be held at the usual meeting place, which shall not be later than eight o'clock in the evening of the last day for filing said nominations. Council shall cause to be printed or typed ballots, at least as many in number as the number of citizens in said town entitled to vote at the elections. Said ballots shall contain the names of all persons nominated under headings designating the offices for which nominated, and such ballots shall be delivered to the persons appointed or selected to hold the election at the opening of the polls, and every citizen calling for a ballot shall receive one from the persons holding the election. Voters may also prepare for themselves ballots, either printed or written, provided that such ballots do not contain a name or names other than those nominated as aforesaid.

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(C) Every election shall be held under the supervision of an Election Board consisting of three qualified voters of said Town to be appointed for that purpose by the Council at least two weeks before the election, but if at the opening of the election there shall not be present the three qualified voters so appointed, or any one of them, in such case, the persons entitled to vote at such election, and then present shall appoint, by viva voce vote, a qualified voter or voters to act. The Three persons composing the Election Board shall be Judges of the election and shall decide upon the legality of the votes offered, keeping a list of all voters voting.

(D) Every citizen of the said Town of the age of twenty-one years, or upwards, who has within twelve months of said election paid a Town Tax which has been assessed within twelve months, shall have a right to vote, and persons arriving at the age of twenty-one years since the last Town assessment shall have a right to vote. The voters shall not vote for more candidates than are to be voted for at the election and in voting shall cross out the names of all candidates which he or she does not desire to vote for.

(E) Upon the close of the election the votes shall be read and counted publicly, and the persons having the highest number of votes for each office shall be declared duly elected and continue in office for the term stated or until his successors are duly elected and qualified. In case of a tie, the three persons holding the election shall, by a majority vote, decide which of the candidates so tied shall be elected.

(F) The election Board shall enter in a Book to be provided for that purpose, a minute of the election, containing the names of the persons chosen, shall subscribe the same, and shall give to the persons elected certificates of the Election, which Book, containing such minutes, shall be preserved by the Council, and shall be evidence in any Court of Law and Equity. All Ballots cast and the records of the Elections shall be preserved in the custody of the Election Board for a period of ten days.

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ORGANIZATION AND ANNUAL MEETINGS OF COUNCIL

Section 6. On the first Monday following the annual election each year, the Council shall meet and the newly elected officers shall assume the duties of office. Before entering upon the duty of their office, the newly elected members shall be sworn by a Notary Public, a Justice of the Peace, or by hold-over Member of the Council faithfully and impartially to perform their duties. At this annual meeting the Council shall organize and thereafter shall hold meetings at such time as hereinafter provided.

SPECIAL MEETING, WAIVER OF NOTICE

Section 7. Special meetings shall be called by the Secretary upon the written request of the President of Council, or upon the written request of any two members of Council, stating the day, hour and place of the special meeting requested and the subject or subjects proposed to be considered thereat. The Secretary shall thereupon give written notice to the President and to each member of Council of the day, hour and place of such special meeting and of the subject or subjects proposed to be considered thereat. Such notice of the Secretary must be deposited in the U. S. Mail in the main post office in the Town of Bethel at least forty-eight hours prior to the time set for such special meeting, provided, however, that a written waiver of such notice, signed by the President and all other members of Council prior to or immediately upon the convening of such special meeting, shall make such forty-eight hour written notice unnecessary, and shall authorize and make valid the holding of a special meeting at any time named in such waiver, and the transaction of any other business at the meeting, if the waiver so states. The Town Council of the Town of Bethel shall have the same power and authority to enact all ordinances, adopt all resolutions, pass all motions, make all orders and transact all business at any such special meeting, called as aforesaid, as Council has at regular meeting.

QUORUM

Section 8. In the general performance of their duties, the acts, doings and determinations of a majority of the entire

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Council shall be as valid as the acts, doings and determinations of all of the members of Council, but if a less number be present at any regular or properly called special meeting, they may adjourn from time to time, and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance adopted by a majority of the entire Council. No ordinance, resolution, motion, order or other act of Council, except as immediately hereinabove provided for, shall be valid unless it received the affirmative vote of a majority of all members elected to Council.

RULES AND MINUTES OF COUNCIL

Section 9. The Council shall determine its own rules and order of business and shall keep a journal of its proceedings, and the Yeas and Nays shall be taken upon the passage of every ordinance and resolution and shall be entered in the journal with the text of the ordinance or resolution.

VACANCIES

Section 10. In case of vacancy created in the members of Council either by death, resignation, loss of residence in the Town of Bethel, or otherwise, the Council shall fill such vacancy for the residue of the whole term; provided, however, if a vacancy shall be created in the office of Councilman, the unexpired term of which office shall be for more than one year, the Council shall appoint some suitable person to serve until the next annual election, at which time there shall be elected a suitable person to fill the unexpired term of said office.

DISQUALIFICATION

Section 11. If any Councilman shall, during his term of office, lose his residence in said Town, or his citizenship in the State of Delaware, or be found guilty of any crime or misdemeanor, and sentenced to imprisonment for any term whatever, he shall forthwith be disqualified to act as a Member of Council and his office shall be deemed vacant and shall be filled by Council, as aforesaid.

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CONTRACTS WITH MEMBERS

Section 12. It shall be unlawful for the said Council to make or enter into any contract for materials, supplies, work or labor for the use and benefit of the Town of Bethel with any member of the Council or with any partnership in which any member of Council is a partner, or with any corporation in which any member of Council is a director or stockholder or with any firm or company in which any member of Council is pecuniarily interested, except with the unanimous consent of the entire Council, and such contract shall be absolutely null and void without such unanimous consent.

REGULAR MEETINGS OF COUNCIL

Section 13. The Council of the Town of Bethel shall hold regular meetings once a month at such times as may be prescribed by the ordinance and resolution at the Town Hall, or at such other suitable place in said Town as the Council may select, but in the event of a temporary change in the place of meeting, notice shall be posted in some suitable public place, plainly stating the new place of meeting selected by Council, and the day and hour of such meeting.

OFFICERS

Section 14. (A) The Council shall, at the annual meeting held on the first Monday next following the annual election, organize by the election of a President, a Secretary, and a Treasurer. The Council shall elect a Collector of Taxes, an Assessor, an Auditor and may elect an Alderman, Police Officer and Town Solicitor, at such meeting or at any other meeting of Council when deemed advisable to do so. The President of the Council shall be a member of the Council. The Town Solicitor, Assessor, The Police Officer, Collector of Taxes and Alderman may or may not be a member of the Town Council. The Council shall also elect and appoint any such other officers, employees and agents of the Town which by it may be deemed proper and necessary for the proper conduct and management of the Town. Any Officer may be removed at any time by the Town Council for sufficient cause.

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(B) The Council shall by ordinance fix the salaries and compensation of employees, officers and agents of the Town and the time and manner of his or her payment, which salaries or compensations shall not be increased during the terms of said office. No officer, employee or agent of the Town shall have, take, or receive from the Town any compensation in any form in addition to the salary or compensation fixed by Council.

(C) The Council shall cause to be kept a full and complete record of all officers appointed and employees and agents hired by the Town containing the names of such officers, employees, and agents, the dates and term of their appointment or employment, the salary or compensation and the date of the termination of service.

DUTIES AND POWERS OF PRESIDENT

(D) The duties of the President of the Council shall be to preside at all meetings of Council; to have general superintendence of municipal affairs, provided, however, that such general superintendency shall in all cases be subordinate to the authority of all committee and appointees as selected by Council for the superintendency or conduct of any specified municipal activity, to receive complaints of nuisances and all complaints or violations of Laws and Ordinances and present the same to Council at its first meeting thereafter for action of Council, and to cause such infractions or violations of the Law or Ordinances, as require immediate action, to be proceeded on before the Town Alderman or any Justice of the Peace of Sussex County. The President shall issue and sign all licenses for every exhibition within the Town, or licenses for any other purpose for which, under the Laws of Delaware or the Ordinances of said Town, a license therefor is required.

The President shall sign all warrants on the Treasurer for the payment of any Town money and shall perform such other duties as may be prescribed by resolution or ordinance of Council. If the President be incapacitated from acting by reason of absence, or for any other cause whatsoever, then all the powers and duties conferred and imposed upon him by this Act, or any other Law, or any resolution or ordinance now or thereafter

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adopted or enacted by Council, shall be exercised and performed by the Member of Council chosen by Council as acting President for the period of such incapacity.

The President shall have the same right as other Councilmen to vote on all matters and may at any time appoint a Councilman to preside if he desires to make a motion, move the adoption of a resolution, second either, or debate any question from the floor, and may thereafter immediately resume his duties, as presiding officer.

SECRETARY

(E) The Secretary shall record all the proceedings of the Council and keep a correct journal of the same in a book to be provided for the purpose; and shall file and keep in a safe place the Seal of the Town and all papers, and documents, relative to the affairs of the Town, and deliver the same to his successor in office. The Secretary shall attest the seal of the Town when authorized by Council, and shall perform such duties and have such other powers as may be prescribed by ordinance. All records, books, papers and documents in the custody of the Secretary shall be always open for the inspection of Council and the public under such regulations as Council may prescribe.

ALDERMAN

(F) The Alderman shall be sworn or affirmed to perform the duties of his office with fidelity. In the absence or disability or otherwise, the Council, at any meeting, may appoint a citizen as Acting Alderman. The Alderman or Acting Alderman shall have all powers of a Justice of the Peace within said Town and shall have jurisdiction and cognizance of all breaches of the peace and other offenses committed within the limits of the Town so far as to arrest and hold to bail, or fine and imprison offenders; of all fines, penalties and forfeitures prescribed by this Charter, ordinance enacted hereunder, or any law of the State of Delaware; and of all neglects, omissions or defaults of the Police Officer or other Town officer, agent or employee; provided, that he shall impose no fine or penalty in excess of that fixed by the ordinances and shall not commit to prison for a longer term than thirty days. The jails of Sussex County

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may be used for imprisonment under the provisions of this Charter, provided that the Council shall pay for the board of persons committed for breaches of ordinances which are not breaches of the general law.

The Alderman shall also have jurisdiction in suits of civil nature, for the collection of taxes, recovery of amounts due and payable for the construction of sidewalks, curbs or pavements, expenses of abatement of nuisances, and all other matters which may arise in the proper government and control of the Town under the provisions of this Charter; and within his jurisdiction he shall have all the powers and authority, and shall be subject to all the limitations of the Justice of the Peace of Sussex County, except as herein otherwise provided; and his fees shall be the same as those of a Justice of the Peace for like services. For any service or duty for which no fee is provided by law, such fee shall be established by ordinance.

Upon expiration of his term of office, or upon resignation or removal from office, the Alderman shall forthwith deliver to his successor all books, papers, documents, and other things belonging or appertaining to his office, and shall pay over to the Treasurer all moneys in his hands belonging to the Town. Upon neglect or failure to make such delivery or payment for the space of five (5) days, he shall be deemed guilty of a misdemeanor and upon conviction in the Court of General Sessions of the State of Delaware shall be fined not more than Five Hundred Dollars (\$500.00) or imprisoned for not more than (1) year, or shall suffer both fine and imprisonment at the discretion of the Court.

At every regular monthly meeting of the Council, the Alderman shall report in writing all fines imposed by him, and all fines and penalties and other money received by him during the preceding month belonging to the Town. He shall pay all such moneys to the Treasurer within ten (10) days after making report thereof to the Council; and for failure to make report to the Council, or for failure to make payment to the Treasurer for the space of ten (10) days, he shall be deemed guilty of a misdemeanor, and shall be punished, upon conviction, as hereinabove provided.

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The Alderman shall keep a docket in which all his official acts shall be entered, which shall be open to public inspection and examination at all times.

TREASURER

(G) The Treasurer shall be a citizen and resident of the said Town above the age of twenty-one years at the time of his appointment.

The Town Treasurer, before entering upon the duties of his office, shall be sworn or affirmed to faithfully and honestly perform the duties of his office, which oath or affirmation shall be administered by the President, or acting President of Council.

The Town Treasurer, before entering upon the duties of his office, shall also give bond to the Town of Bethel, with sufficient surety to be approved by Council, in the sum of Two Thousand Dollars (\$2,000.00), conditioned for the faithful discharge of the duties of his office and for the payment to his successors in office of all sums of money belonging to said Town, which may remain in his hands upon the settlement of his accounts, to which bond and condition shall be annexed a warrant of attorney for the confession of judgment.

The Treasurer shall pay all orders drawn on him by order of said Council and signed by the President thereof, out of any moneys in his hands belonging to said Town. He shall settle his accounts with said Council annually by the end of the Fiscal year and at such other times as Council may require.

COLLECTOR OF TAXES

(H) The Collector of Taxes shall be a citizen and resident of the said Town above the age of twenty-one years at the time of his appointment.

It shall be the duty of the Town Collector to collect all Town Taxes and to pay the same to the Town Treasurer as herein otherwise provided. The Council may appoint such per-

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son or persons to collect the water rents of said Town and all other kinds of Town revenue as they deem advisable and require such bond or bonds as deemed proper.

The Town Collector, before entering upon the duties of his office, shall give bond to the Town of Bethel, with sufficient surety to be approved by Council, in the sum of One Thousand Dollars (\$1,000.00), conditioned for the faithful performance of the duties of his office and the payment to the Treasurer of said Town of all moneys collected by him belonging to said Town from taxes, and for the settlement of his accounts with the Treasurer of the Town at the end of each fiscal year, and at such other times as Council may require, to which bond and condition shall be annexed the usual full warrant of attorney for confession of judgment for said penalty.

AUDITOR

(I) The Auditor shall be a resident and taxable of the Town and it shall be his duty to audit the accounts of the Town and all of its officers whose duty involves the collection, custody and payment of the moneys of the Town. He shall audit the books of the Alderman and the records of all fines, penalties and costs imposed or collected by either of them pursuant to any judgment, order or decree made. The Auditor on or before the last business day in the month of February next following his appointment shall make and deliver a detailed report of all and every of the accounts, records and books by him examined and audited, which copies of said report shall be posted in five public places in the Town. The Auditor in the performance of his duties shall have access to all records of Council and records of the officers of the Town; and is authorized and empowered to employ such clerks or accountants as in his judgment may be necessary for the proper performance of his duties.

TOWN SOLICITOR.

(J) At the annual meeting, the Council may select a Town Solicitor for the term of one year or until his successor shall have been duly chosen and qualified. The Town Solicitor shall be a member of the Bar of Sussex County. It shall be his duty

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to give legal advice to the Council and other officers of the town, and to perform other legal services as may be required of him by the Council.

POLICE OFFICER

(K) The Council may appoint a Police Officer whenever the Council may deem it wise to do so; and the Council shall from time to time make rules and regulations as may be necessary for the control of the Police Officer. The Police Officer shall be subject to the direction of the Council, and may be removed by the Council at any time. He shall preserve peace and order, and shall compel obedience within the Town limits to the ordinances of the Town and the Laws of the State; and he shall have such other duties as the Council shall from time to time prescribe, and be entitled to the same fees and costs as a Constable of Sussex County, in addition to compensation allowed by Council.

The Police Officer shall be vested within the Town limits with all the powers and authority of a Constable of Sussex County and shall have the power to make arrests for all motor vehicle and traffic violations within the limits of said town. In the case of pursuit of an offender his authority and power shall extend to any part of the State of Delaware. Every person sentenced to imprisonment by the Alderman or a Justice of the Peace of Sussex County shall be delivered by the Police Officer to the County Jail of Sussex County, or lock-up of the Town, to be there imprisoned for the term of the sentence. In the case of any arrest at a time when the Alderman or a Justice of the Peace shall not be available to hear and determine the charge, the person arrested may be delivered to the Sussex County Jail, or to the lock-up of the Town, for imprisonment until such reasonable time thereafter as shall enable the Alderman, or Justice of the Peace to hear and determine the charge against such person.

It shall be the duty of the Police Officer to suppress riotous disorderly or turbulent assemblages of persons in the streets of the Town, or the noisy conduct of any person in the same, and upon view of the above, or upon the view of the violation of any

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ordinances of the Town, relating to the peace and good order thereof, the Police Officer shall have the right and power to arrest without warrant and to take the offender before the Alderman or any Justice of the Peace of Sussex County for hearing.

ASSESSOR AND ASSESSMENT OF TAXES

Section 15. The Assessor shall be a resident of said Town and over the age of twenty-one years. He shall be sworn or affirmed by a Justice of the Peace or by the Alderman or by a Notary Public to perform his duties with fidelity and without favor. It shall be his duty to make a fair and impartial assessment of property and persons subject to taxation situated within the Town.

1. In the year 1947 and every fourth year thereafter, there shall be a true, just and impartial valuation and assessment of all real property subject to County Taxation within the Town, locating each parcel of real property by street and number, or other description, and also an assessment of all the male residents of the Town above the age of twenty-one years, whether owners or not owners of real property within its limits.

2. All assessments shall be made and completed by the Assessor prior to the first day of April. The assessment made in the year 1947 and in every fourth year thereafter shall be known as the General Assessment. In other years, there shall be made a scrap assessment, as hereinafter provided.

3. The scrap assessment shall value and assess all taxable real property in the Town not already valued and assessed by the General Assessment then in force, and all improvements made upon said real property since said General Assessment and all male residents of the Town above the age of twenty-one (21) years and not already assessed, and said assessment shall omit the names of those who have removed from the Town or who have died. In the year that a scrap assessment is made, the General Assessment then in force as supplemented or modified by the scrap assessment, shall constitute the assessment of the year.

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4. The assessor shall make and deliver to the Council as soon as the assessments are made such numbers of copies thereof as the Council shall direct.

5. The real property of the Assessors shall be assessed by the Council.

6. The Council shall, prior to the fifteenth day of April, in each year, cause a copy of the General Assessment, or scrap assessment as made in said year, to be posted in two public places, in the Town, and there to remain for the space of ten (10) days for public information. Attached to said copies shall be a notice of the day, hour and place that the council will sit as a Board of Revision and Appeal; and the notices of the posting of the copies of the assessment and the places where the same are posted and of the day, hour and place when the Council will sit as a Board of Revision and Appeal; shall be posted in at least five public places in the Town.

7. At the time and place designated in the notice aforesaid, the Council shall sit as a Board of Revision and Appeal to correct and revise the assessment, and to hear appeals concerning the same. They shall have full power and authority to alter, revise, add to, and take from the said assessment. The decision of a majority of the Council shall be final and conclusive; and no member of Council shall sit on his own appeal.

8. The assessment, as revised and adjusted by a majority of the Council, shall be the basis for the levy and collection of the taxes for the Town.

9. The Council shall also have the right to levy and collect taxes upon all telephone, telegraph, power poles, or other erections of like character erected within the limits of the Town, together with the wires and appliances thereto or thereon attached, that are not assessable and taxable, and to this end, may at any time direct the same to be included in or added to the Town Assessment. In case the owner or lessee of such poles or erections shall refuse or neglect to pay the taxes that may be levied thereon, the said taxes may be collected by the Collector of Taxes as in case of other taxes.

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10. No farm lands hereby included within the limits of the Town of Bethel shall be subject to any Town tax unless the same shall be laid out as building lots and unless the same shall front upon some public street of the Town of Bethel which shall be laid out and improved; and all farm lands within the aforesaid limits which shall be laid out as building lots and which shall front upon some public street of the Town of Bethel laid out and improved shall be subject to be taxed to the depth of three hundred (300) feet from said street line for Town purposes. The Council shall be sole judges of what lands are, and what lands are not "farm lands" within the meaning of this Charter.

11. The general assessment made and in force under the Charter of the Town of Bethel and the amendments thereto shall continue in force and effect until the next General Assessment to be made in the year 1947.

12. The Council shall determine and fix a rate of taxation which will produce approximately the amount of money necessary to defray the expenses of the Town for the current year, including interest on bonded indebtedness and for redemption of maturing bonds and for maintenance of a sinking fund.

13. The limit of the amount to be raised by taxation under this Section shall not exceed the sum of Five Thousand Dollars (\$5,000.00) in any one year clear of all delinquencies and expenses of collection, provided, however, that the Council of the said Town, whenever authorized by referendum vote duly held and conducted in all respects as provided for in Section 5 of this Act, may raise by taxation any amount above and exceeding the sum of Five Thousand Dollars (\$5,000.00). At such referendum one set of ballots used shall have written or printed thereon the words "for increased taxation" and another set of ballots shall have written or printed thereon the words "against increased taxation" and both sets of ballots shall specify thereon the amount proposed to be raised; when, however, any sum in excess of Five Thousand (\$5,000.00) shall have been authorized and approved at such referendum, it shall be lawful to raise by taxation such approved sum from year to year without the necessity

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of holding a referendum election each year, when, however, it shall be proposed to increase the sum to be raised each year by taxation above the amount approved at the last referendum when in order to authorize any such increase a new referendum shall be necessary and whenever any increased sum shall be authorized at any referendum said sum shall represent the maximum amount authorized to be raised from year to year by taxation until an increase shall have been authorized by referendum duly held as aforesaid.

Section 16. On or before the fifteenth day of May in each year, the Council shall deliver to the Collector of Taxes a list containing the names of the Taxables of the Town, opposite the name of each the amount of his real property assessment, and his poll assessment, and the tax upon the whole of his assessment, and the rate per hundred dollars. Attached to said tax list shall be a warrant, under the seal of the Town of Bethel, signed by the President and attested by the Secretary, commanding the Collector of Taxes to make collection of the taxes as stated and set forth in the tax list.

All taxes paid or imposed by the Council of the Town of Bethel, shall be and constitute a lien upon all the real estate of the taxable against or upon whom such taxes are laid or imposed of which such taxable was seized at any time after such taxes shall have been levied and imposed, situate in the Town of Bethel, and such lien shall have preference and priority to all other liens of record on such real estate created or suffered by the said taxable although such other lien or liens be of a date prior to the time of the attaching of such lien for taxes; provided that the lien for the town taxes shall remain a lien for the period of three years from the fifteenth day of May of the year in which such tax shall have been imposed and no longer.

All taxes when and as collected by the Collector of Taxes shall be paid to the Town Treasurer and all taxes shall be due and payable at and from the time of the delivery of the tax list to the Collector of Taxes. A discount shall be allowed by the

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Collector of Taxes of three per cent on every tax paid before the first day of July in each year; no discount shall be allowed by the Collector of Taxes on taxes paid after the first day of July, and to every tax paid after the thirtieth day of September in each year, there shall be added and collected one per centum for every month or fraction of a month after the said thirtieth day of September that the tax remains unpaid. Before exercising any of the powers herein given for collection of taxes, notices shall be given to the taxable of the amount due.

The Collector of Taxes shall have the following power for the collection of taxes;

(a) By distraint of the goods and chattels of the taxable.

(b) At any time after the delivery of the tax list and warrant, the Collector of Taxes may, in the name of the Town of Bethel, institute suit before any Justice of the Peace of the State of Delaware, in any of the Counties of the State or before the Alderman of the Town, for the recovery of the unpaid tax, in an action of debt, and upon judgment obtained, may issue writs of execution as in case of other judgments recovered before a Justice of the Peace.

The said execution shall constitute a lien upon all the personal property of the taxable within the County where the judgment shall have been obtained which, by virtue of such execution, shall be levied upon within thirty (30) days after the issuance thereof, and such lien shall have priority over all other liens against the said personal property created or suffered by the taxable, except such liens thereon, which may have been created in respect to County Taxes, although such other liens be of a date prior to the time of the attachment of said tax lien.

(c) At any time after the delivery of the tax list and warrant, the Collector of Taxes may notify in writing the person, firm or corporation by whom any taxable is employed, that the tax of said employee is due and unpaid. The notice shall be signed by the President of the Council and shall contain the correct name of the taxable as it appears upon the tax list, the

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amount of the tax due and the penalty added, if any; and thereupon it shall be the duty of the employer to take from the wage, salary, or other money then due the taxable the amount of the tax due and owing from the employee, and charge the same against him, and to pay the same to the Collector of Taxes within ten (10) days. The Collector of Taxes shall give to the employer a certificate of payment which shall be allowed in any suit or accounting between the employer and taxable. If any employer, being notified as aforesaid, and having in his hands money belonging to the taxable, shall neglect or refuse to comply with the provisions hereof, such employer shall become personally liable for the amount of the tax of the persons as to whom notice was given, and the amount thereof may be recovered from such employer in any action of debt before any Justice of the Peace or Alderman, as aforesaid. This process shall be deemed to be in the nature of a garnishment proceeding.

(d) The Collector of Taxes may make a complaint under oath before any Justice of the Peace of Sussex County, or before the Alderman, that the tax of any taxable is due and unpaid and that he has been unable to make collection of a tax by any of the methods for the recovery of taxes prescribed in this Charter, and thereupon a warrant shall be issued for the arrest of such taxable and if, after hearing it shall be found that the tax of the person arrested is due and unpaid, and if the taxable shall thereupon fail to pay the tax, together with accrued costs, he shall be committed to the Jail of Sussex County, until the tax, penalty, costs and charges are paid, but not to exceed the term of thirty (30) days.

(e) For the purpose of collecting the tax of any taxable, and without the necessity of first employing the other remedy herein provided, the Collector of Taxes is empowered to sell the land and tenements of a taxable, or the lands and tenements of a taxable alienated subsequent to the levy of the tax. The Collector of Taxes shall present to the Superior Court of Sussex County wherein the lands and tenements are situated, a petition in which shall be stated:

(1). The name of the taxable.

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(2). The year for which the tax was levied.

(3). The rate of tax.

(4). The total amount due.

(5). The date from which the penalty for non-payment, if any, shall commence and the rate of such penalty.

(6). A short description of the lands and tenements proposed to be sold sufficient to identify the same.

(7). A statement that a bill of said tax has been mailed to the taxable at his last known post office address and that it has been found impractical to collect the said tax by any of the other remedies as herein above provided. The petition shall be signed by the Collector of Taxes and shall be verified before a Notary Public.

The Court thereupon shall make an order for the sale of said lands and tenements returnable at the next succeeding term of said Court; Sales of lands and tenements shall be advertised by posting hand bills in at least five public places in the Town of Bethel and publishing the notice of said sale in a newspaper published in Sussex County. The notices shall contain the day, hour and place of sale and a short description of the premises sufficient to identify the same, and the hand bills shall be posted at least ten days before the day fixed for sale, and the newspaper advertisement shall be published at least one week before the day of sale.

Each sale of lands and tenements shall be returned to the Superior Court aforesaid at the next term thereof following the sale, and the Court shall inquire into the circumstances and either approve or set aside the sale. If it be approved, the Collector of Taxes shall make a deed to the purchaser which shall convey the title of the taxable or of his alienee; if it be set aside, the Court may order another sale, and so on until the tax due is collected. The petition, return and deed, shall be presumptive evidence of the regularity of the proceeding.

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No sale shall be approved by the Court if the owner be ready at Court to pay the taxes, penalty and costs, and no deed shall be made until the expiration of one year from the date of sale, within which time the owner, his heirs, executors or assigns, shall have power to redeem the lands on payment to the purchaser, his heirs or assigns of the costs, the amount of the purchase money and twenty per centum interest thereon, and the expenses of the deed, provided, that if the purchaser refuses to accept the same, or in the event the purchaser, or his heirs or assigns, cannot be located within the State of Delaware, then, in either event, it shall be lawful for the owner, his heirs, executors or assigns, to pay the amount of redemption to the Collector of Taxes making the sale, taking from him a good and lawful receipt therefor and such receipt shall be considered for all intents and purposes, as a valid and lawful exercise by the owner, his heirs, executors or assigns, of his or their power to redeem the land so sold.

After satisfying the tax due and the costs and expenses of sale from the proceeds of sale, the amount remaining shall be paid to the owner of the land, or upon the refusal of said owner to accept the same, or if the owner is unknown or cannot be found, the amount remaining shall be deposited in some bank in the Town of Laurel, either to the credit of the owner, or in a manner by which the fund may be identified.

In sales of lands for the payment of taxes, the following costs shall be allowed, to be deducted from the proceeds of sale, or chargeable against the said owner:

TO THE PROTHONOTARY

| | |
|--|--------|
| For filing and recording petition..... | \$1.00 |
| For filing and recording return of sale..... | 1.50 |

In addition, the costs of printing hand bills and publication of the advertisement of sale shall be chargeable as costs.

The costs of the deed shall not be chargeable as costs, but shall be paid by the purchaser.

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If the owner of any lands and tenements against which a tax shall be levied and assessed shall be unknown, this fact shall be stated in the advertisement of sale.

If any person is assessed for several parcels of lands and tenements in the same assessment, the total of said taxes may be collected from the sale of any part or portion of said lands and tenements, provided that land alienated by the taxable shall not be sold until other property of the taxable shall have been disposed of.

If the Collector of Taxes shall be unable by the thirty-first day of December of each year of the date of tax list to collect the tax of any taxable, he is empowered, having first paid the amount thereof to the Town, to collect said tax from such taxable for his own use by any of the processes of law herein prescribed within the space of one further year, from said thirty-first day of December, after which the said tax shall be extinguished and all authority to the Collector of Taxes under said tax list and warrant shall cease.

During the month of February next following the date of the tax list and warrant, the Collector of Taxes shall make full, final and complete settlement with the Treasurer and Council. The Council shall fix such time and place during the said month for settlement with the Collector of Taxes of which he, the said Treasurer, shall have due notice. At said settlement, the Council shall allow to the Collector of Taxes all taxes which shall have been impossible to collect by reason of errors in the assessment lists or otherwise, and not through the default or neglect or delay of the Collector of Taxes, and said settlement shall be final and conclusive, and no other allowance in any form shall be made to the Collector of Taxes by the Council. Upon the conclusion of the said Settlement, the Collector of Taxes shall forthwith pay over to the credit of the Town the aggregate amount of the taxes found to be due the Town, and upon his failure or neglect to do so, it shall be the duty of the Council to proceed to collect the same from the Collector of Taxes and/or his surety.

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The lien of any town taxes upon property may be extended as provided in Section 1418, Article 6, Chapter 79, Revised Code of Delaware, 1935, and the Collector shall have the same powers conferred by said section upon the Receiver of Taxes and County Treasurer for Sussex County but no sale shall be made as provided in said Section except upon direction of Council.

Section 17. The provision of Article 6 of Chapter 79 of the Revised Code of the State of Delaware, 1935, not inconsistent herewith, shall be deemed to apply to all taxes under the provisions of this Act.

ENUMERATION OF SPECIFIC POWERS OF COUNCIL

Section 18. The Town Council shall have power to enact ordinances to preserve the health of the Town and to prevent the introduction and spread of infectious or contagious diseases to define, prevent and abate nuisances; to ascertain and fix the boundaries, of streets, square, lanes, alleys and sidewalks, to repave and improve the same, to alter, extend or widen any street, square, lane, alley or sidewalk and to open, lay out, improve and repair new streets, squares, lanes, alleys and sidewalks subject, however, to the provisions and restrictions in that behalf herein otherwise contained; to regulate and fix the ascents and descents of all streets, lanes, alleys and sidewalks and the drainage thereof, to direct and carry out the paving, repaving and improvement of foot pavements and to prescribe the width and materials thereof as hereinafter set forth; to regulate and provide for the improvement of existing and the construction of new gutters and curbs, subject, however, to the provisions and restrictions in that behalf otherwise herein contained; to prescribe the extent and nature of and to alter or remove steps, bay windows, porches, awnings, drains, sheds, cellar doors, posts and pillars and all inlets to lots and buildings; to regulate the construction of and repair to chimneys and to provide for the keeping of the same cleaned and in a safe condition as to fire and other hazards; to regulate or prevent the storage of gasoline, naphtha, oil, gunpowder or any other inflammable, combustible or dangerous substance and materials; to define, investigate, prevent, abate and remove fire and explosion hazards, both within and without buildings in the said Town; to

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improve, extend, construct and maintain water mains, fire hydrants and other proper instruments for the prevention and combating of conflagrations and to expend through its own channels or through those of some fire company in said Town such sum or sums of money from the unappropriated funds of the Town, from time to time, as Council may deem necessary and expedient for the proper protection from fire of the lives and property of the inhabitants of the Town; to enact such ordinances, not in conflict with the Laws of the State of Delaware, as it may deem necessary and beneficial for the safety, regulation and control of pedestrians, automobiles, and animal drawn traffic over the streets, squares, lanes, and alleys and other public places of the Town, including power to make and enforce any and all parking and non-parking regulations; to enact such ordinances and police regulations as it shall deem necessary and beneficial for the order, protection and good government of said Town; to enact ordinances in relation to the keeping of dogs; to provide for a registration fee therefor and to regulate or prevent their running at large; to enact ordinances to regulate or prevent the keeping of pigs and hogs in said Town, or in its judgment, in the more thickly populated parts of said Town; to employ from time to time skilled surveyors to make plots and maps showing the limits of said Town and ascents, descents and limits of all streets, lanes, alleys, and sidewalks, and the building lines upon the same, to show the location, depth and grade of all sewers and water mains and generally to do and perform all other matter of a cognate nature as may be deemed necessary by Council.

The Town Council shall have superintendence and oversight of all roads, streets, squares, lanes and alleys now opened or hereafter to be opened, within the limits of the Town, and no overseer, or similar official, shall be appointed by the Levy Court of Sussex County, but said Levy Court shall annually appropriate for the repairs and upkeep of the roads and streets in said Town the sums of money provided for by the Laws of the State of Delaware now in force or hereafter enacted and said Levy Court shall make orders for the payment therefor to the Treasurer of the Town for the use of said Town.

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The Town Council shall have full power and authority to enact ordinances to prevent, suppress and regulate all bonfires, the firing of firearms and the setting off and exploding of fire crackers, fire works, torpedoes and all explosives at any places in said Town.

The Town Council shall have power and authority to levy and collect license fees, annually, for such various amount or amounts as Council shall from time to time fix, from any individual, firm, association or corporation carrying on or practicing any business, profession or occupation within the limits of said Town, and shall have authority to levy and collect license fees upon the property of any person, firm, association or corporation carrying on business in said Town and supplying the inhabitants thereof with any form or manner of services for any valuable consideration; to regulate the operation of public utilities within the Town and the use of the streets in connection with the operation of public utilities outside of the Town, or the use of the streets by common carriers, either passengers or freight or both, and to require that licenses from the Town be secured and to determine the amount or amounts to be paid therefor, provided, that this power shall not be deemed to apply to steam utilities; to levy and collect taxes on gas and water mains, underground conduits, telephone, electric current or other poles or erections of like character in said Town, together with the wires thereon strung, and to this end may at any time direct the same to be included in or added to the Town assessment, with the authority of Council to cause such mains, conduits, poles and wires to be removed and suit to be instituted to collect the taxes so levied, in the event the owner or lessee thereof refuse or neglect to pay such taxes; Council has power to enact ordinances to prevent, abate or regulate electrical or other interferences with radio reception in said Town.

Council shall have the power to enact ordinances for fire protection and to this end may prohibit the use of building materials that Council may deem would create a fire hazard in the section to be used and may zone or district the Town and make particular zones or districts with regard to building and building materials, and may forbid any building except for which a building permit therefor has been obtained from and as pre-

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scribed by Council. This provision shall be deemed to include new buildings, or rebuildings or additions to or alterations of existing structures of any kind. Council shall have power upon inspection and upon notice and hearing to condemn any existing buildings or structures that it deems to be a fire menace and to cause the same to be torn down or removed; Council shall have power to establish a building line for buildings to be erected, provided that such building line shall not be established more than ten feet back from front line of the lots.

The Town Council shall be vested with power and authority to prescribe fines, or penalties, or both, for violations of any of the provisions of this Act, or of the ordinances now in force, or which hereafter may be enacted in pursuance of any power hereof or of any power which may not be enumerated herein, provided, that no ordinance or other Act of Council shall provide any fine of more than One Hundred Dollars, exclusive of costs, nor any penalty by way of imprisonment, in excess of thirty days, but Council may provide for both fine and imprisonment, not in excess of said limits.

USE OF TOWN MONEY

Section 19. The Town Council of said Town shall have full power and authority to use the money in the Treasury of said Town or any portion thereof, from time to time, for the improvement, benefit, protection, ornament and best interests of the said Town, as Council may deem proper, and to use Town money to accomplish and carry into effect all acts and things which it has power to do, by virtue of the Laws of Delaware, this Act and all lawful ordinances and resolutions of Council. In the General performance of its duties and particularly in the expenditure of moneys of the said Town, the acts, doings and determinations of a majority of the entire Council shall be as valid as the acts, doings and determinations of all the members of Council.

FISCAL YEAR, ANNUAL STATEMENT

Section 20. The fiscal year of the said Town shall begin the first day of March in each year and shall end with the next succeeding last day of February. The Town Council shall cause

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a full and correct annual statement of the receipts and disbursements of all Town moneys for the fiscal year next preceding to be posted in five public places in The Town of Bethel, at least ten days prior to the annual Town election.

EXEMPTION OF PROPERTY FROM TAXATION

Section 21. The Town Council of said Town shall have power by an ordinance, or by a resolution, to relieve, release, exonerate and exempt the real property of any person, firm, association or corporation engaged in any manufacturing business within the limits of said Town and employing no less than six persons.

No property shall be exempt from taxation aforesaid until such an ordinance is enacted or such a special resolution adopted and the period of such exemption shall be only such as is set forth in said ordinance or resolution, and shall not be in excess of ten years, and shall only be revocable upon the breach of a condition contained in such ordinance or resolution.

POWER TO BORROW MONEY AND ISSUE BONDS

Section 22. (A) The Council of the Town of Bethel may borrow money and issue bonds or certificates of indebtedness to secure the payment thereof on the faith and credit of the Town of Bethel to provide funds for the erection, the extension, the enlargement or the repair of any plant, machinery, appliances or equipment for the furnishing of water and light to the public, for the construction or repair or improvement of highways, streets or lanes or the paving, curbing or erection of gutters along the same; for the construction or repair of sewers of sewage disposal equipment; or to defray the costs of the Town of Bethel of any permanent municipal improvements, providing, however, that the borrowing of the money therefor shall be authorized by the Town Council and shall have been approved in the manner following:

(B) 1. Council by resolution shall propose to the electors of the Town that the stated amount of money shall be borrowed for any of the above purposes. The resolution shall state the amount of money desired to be borrowed, the purpose for which

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it is desired, the manner of securing the same, and all other pertinent facts relating to the loan, and shall fix a time and place for hearing on the said resolution.

2. Notice of the time and place of hearing on the resolution authorizing said loan shall be posted in five public places at least one week before the time set for said hearing.

3. A second resolution shall then be passed by Council ordering a special election to be held not less than thirty (30) days and not more than sixty (60) days after the date of its determination after said hearing to borrow the said money for the purpose of voting for or against the proposed loan.

4. The notice of the time and place for holding the said special election shall be given the inhabitants by posting notices in five public places for two weeks prior to the election. And the special election shall be conducted by a Board of Electors as herein provided in the case of annual elections.

5. The Council shall cause to be prepared, printed and have available for distribution a sufficient number of ballots not less than five (5) days prior to the date of the special election.

6. At the special election, every person who had a right at the next preceding annual Town election shall have one vote for every dollar and fractional part of dollar of tax paid by him or her respectively during the year preceding said election, and every owner of property, whether individual, partnership or corporation shall have one vote for every dollar or part of dollar of tax paid by said owner during the year preceding said election and the said vote may be cast either in person or by proxy.

7. The Board of Election shall count the votes for and against the proposed loan; and shall announce the result thereof, shall make a certificate under their hands of the number of votes cast for and against the proposed loan, and shall deliver the same to the Council, which said Certificate shall be entered on the minutes of the Council, and the original shall be filed with the papers of the Council.

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(C) The form of Bond or Certificate of Indebtedness, the times of payment of interest, the classes, the time of maturity, and provisions as to the registration shall be determined by the Council. The bonds shall be offered for sale to the best and most responsible bidder therefor after advertisement in a newspaper of Sussex County for at least two weeks before offering the same for sale. The Council shall provide, in its budget, and in fixing the rate of tax, for the payment of interest and principal of said bond at the maturity or maturities thereof, and a sinking fund therefor. The faith and credit of the Town of Bethel shall be deemed to be pledged for the due payment of the bonds and interest thereon issued under the provisions hereof when the same have been properly executed and delivered for value.

(D) The bonded indebtedness of the Town of Bethel shall not at any time in the aggregate exceed the total sum of ten per centum of the value of the real property situate within the limits of the Town as shown by the last assessment preceding the creation of the said indebtedness.

OBSTRUCTIONS, NUISANCES AND UNSANITARY CONDITIONS

Section 23. The Town Council shall have power and authority to enact ordinances or adopt resolutions to define, prevent, abate and remove all obstructions, nuisances and unsanitary conditions at any time existing or deemed to be contemplated whether in the street, squares, lanes, or alleys, or on the sidewalks, or in any other public or private place within the limits of said Town either on its own inspection, or upon the written complaint of any citizen of said Town, stating the character and location of the obstructions, nuisances or unsanitary conditions, and signed by the citizen making the complaint. If a majority of Council, either upon inspection or upon such information, or both, shall determine that such obstruction, nuisance, or unsanitary condition exists and ought to be removed or abated, as the case may be, Council shall enact an ordinance or adopt a resolution, or both, appropriate to the contemplated or existing condition and Council shall thereupon give notice in writing, signed by the President or acting President of

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Council to the person or persons contemplating or causing such obstruction, nuisance or unsanitary condition, or to the person or persons who are responsible for its existence or continuance, to remove or abate the same and if such person or persons refuse or neglect for the space of two days after such notice is mailed to remove or abate the stated condition, Council shall have power and authority to remove or abate the same in a summary manner and at the expense of the person or persons responsible therefor.

Council shall have power and authority to enforce, by ordinance, all the requirements of this Section by imposing fines and penalties as shall be in the judgment of Council necessary and proper which shall be additional to the said expenses and costs of removal or abatement. For all the purposes of this Section, any property, whether dwelling, storehouse, or both, or otherwise, which does not have proper connections with the sewer system of the said Town, if such sewer connections be available for such property, shall be deemed to be in an unsanitary condition under the meaning of this Section, at the discretion of the Council.

STREETS

Section 24. The Town Council shall have power and authority to locate, lay out, and open new streets and to widen streets or parts thereof, whenever they shall deem it for the best interest of the said Town. The procedure in every case as aforesaid, shall be as follows: The Council shall, by a majority vote, adopt a resolution favorable to the opening of the new street, or to the widening or altering of a street, or to the vacating or abandoning of a street or any portion thereof, as the case may be, and giving a general description of the street to be opened or widened, or altered, or of the street or part thereof to be vacated or abandoned, as the case may be. The said resolution shall also state the day, hour and place when the said Council will sit to hear objections and to award just and reasonable compensation to anyone who will be deprived of property. A copy of such resolution shall be posted in five or more public places in the said Town at least five days before the day fixed for the hearing aforesaid.

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At the time and place fixed in the said resolution said Council shall hear such residents of the Town or owners of the property affected as shall attend, and it shall at said meeting, or at a subsequent day as it shall deem proper, adopt a resolution by a majority vote, to proceed with or to abandon as it shall deem for the best interests of the said Town, the opening of the street or streets, or the widening, altering, vacating or abandoning of the existing street or streets, or part thereof, as the case may be, as contemplated in its prior resolution. And in case the determination of the said Council shall be to proceed with the plan contemplated by the resolution first aforesaid, Council shall award just and reasonable compensation to anyone who will be deprived of property in consequence thereof. Such compensation, if any be awarded, shall be paid by the Treasurer of the Town, on a warrant drawn on him by authority of the Council aforesaid upon delivery of a Deed in fee simple in favor of the Town of Bethel, and clear of all liens and encumbrances. If anyone who will be deprived of property as aforesaid be dissatisfied with the compensation awarded by the Council aforesaid, he may, within five days after the award of the Council as aforesaid, appeal from such award by serving written notice to that effect on the Secretary or President of Council. In order to prosecute said appeal such appellant shall within five days, after the expiration of the five days allowed for the appeal as aforesaid, apply to the Judge of the Superior Court for the State of Delaware, resident in Sussex County, or in his absence at that time, to the Chief Justice of the said Court, for the appointment of freeholders to hear and determine the matter of compensation to such appellant for any property of which he will be deprived, as aforesaid, and thereupon the said Judge or Chief Justice, as the case may be shall issue a commission under his hand directed to five impartial freeholders of Sussex County, commanding them to determine and fix the damages which the said appellant will sustain by reason of being deprived of any property as aforesaid, taking into consideration the benefits or advantages that will enure to the said appellant from said new street or otherwise, and to make return of their findings to the said Judge or Chief Justice, as the case may be, at a time appointed in said commission.

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The said freeholders shall give notice of the day, hour and place when they will meet to view the premises and to assess the damages, if any, as aforesaid. Such notice shall be served upon the appellant personally, or by posting a copy on the premises affected at least five days before the day when they are to view the premises as aforesaid and a copy of such notice shall also be served on the Secretary or the President of Council at least five days before the day of such meeting.

The freeholders named in such commission being first sworn or affirmed, on the day and at the hour and place stated in the notice aforesaid, shall view the premises and hear the appellant and his witnesses and the Council and its witnesses, and shall without delay, determine and fix the damages, if any, which the said appellant will sustain by reason of being deprived of any property as aforesaid. Thereupon and without delay the said freeholders shall make return in writing of their proceedings in the premises to the said Judge or Chief Justice, as the case may be, who shall cause the said return to be delivered to the said Secretary or President of Council and such return shall be final and conclusive. The said Judge or Chief Justice shall have power to fill any vacancy among the freeholders. The amount of damages being ascertained as aforesaid, the said Council may pay or tender the same to the person or persons entitled thereto, within one month after the same shall be finally ascertained, or may deposit the same to his credit in any Bank in the Town of Bethel or in the Town of Laurel to the credit of the person or persons entitled thereto within the said period of one month, and thereupon the said Council may carry into effect the plan contemplated in their resolution aforesaid. In the ascertainment and assessment of damages by the freeholders appointed by the Judge or Chief Justice aforesaid, if the damages shall be increased or if the Council shall decide not to take said land, the costs of the appeal shall be paid by the Treasurer of the said Town out of any money in his hands belonging to the Town, but if said damages shall not be increased, the costs of the appeal shall be paid by the party appealing. The fees of the freeholders shall be five dollars per day to each, which shall be taxed as a part of the costs. After the damages shall be fixed and ascertained by the freeholders as aforesaid, Council

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shall have the option of paying the damages assessed within the term aforesaid and proceed with the improvements, or upon the payment of the costs only, may abandon the proposed improvement.

Whenever the land comprehended or included in any street, or part thereof, vacated or abandoned under this Section if owned by the said Town, the Council may, in its discretion, sell such land at public sale and for such consideration as the Council shall deem proper, and shall have the right and power to convey to the purchaser or purchasers thereof a good and sufficient title thereto for whatever estate the said Town may have therein.

The word "street" shall be deemed and held to comprehend and include sidewalks, lanes, and alleys for all the purposes of this Section.

PAVING, GUTTERING, CURBING

Section 25. The Council shall have the power to cause to be paved or repaved the sidewalks of the said Town, or any part or portion thereof, and shall have power to have existing curbs or gutters, or both, repaired or relaid, or new curbs or gutters, or both constructed, or any part of or portion thereof, in said Town, with such material or materials and of such width or size, and subject to such specifications as it shall determine. Before the exercise of said power in any particular instance, the Council shall adopt an ordinance or resolution stating in effect that on a named day and at a named hour and place the Council will meet to consider the question of paving or repaving the sidewalks with a specified material or materials, or repairing existing curbs or gutters, or both, or altering existing curbs or gutters, or both, with any specified material or materials and according to the stated specifications on a named street in front of the property of named owners, and of assessment of the costs thereof against such owners. The said ordinance or resolution shall be published at least one week prior to the meeting aforesaid in at least one issue of a newspaper published in Sussex County. The Council shall hold a meeting in said Town in accordance with

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said ordinance or resolution and thereat shall hear the aforesaid owners of property and other residents of the Town appearing on the question referred to in the said ordinance or resolution.

After such hearing the Council, either at said meeting or at a subsequent meeting, shall decide whether or not to proceed with the improvements referred to in said ordinance or resolution, and if it shall decide to proceed, it shall determine whether the whole or some specified proportion of the costs of the improvements aforesaid in front of the real property of the owner or owners named in the aforesaid ordinance or resolution shall be borne by said owners. If said determination shall be that the whole or specified proportion of said costs shall be borne by said owners, then and in such case the said owners shall be compelled to pay the whole or specified proportion of the costs aforesaid, as the case may be, the amount to be paid by the owner of each parcel of property affected to be determined by the lineal frontage of the parcel on the sidewalk to be paved or repaved, or in the gutter to be repaired or laid, or on the curb, to be repaired or constructed, or any or all of said improvements, as the case may be.

When the said paving or repaving, curbing or recurbing, guttering or reguttering, or any or all of them, have been done and the costs thereof ascertained, the Council shall ascertain the amount that the owner of each parcel of property aforesaid shall pay as hereinbefore stated, and shall give written notice thereof to such owner, or one of the co-owners, by mailing the same to his last known address. If any such owner shall fail to pay the specified amount within thirty days after the mailing of such notice, the same together with costs may be collected by an action of debt before the Alderman or any Justice of the Peace of Sussex County. Writs of execution may issue upon judgment recovered as in like cases of a civil nature and the same proceedings had as on any other judgment before a Justice of the Peace. Upon a return of Nulla Bona on an execution issued on said judgment a certified abstract of said judgment shall be filed in the Prothonotary's office for Sussex County and said judgment

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shall become a lien upon the premises affected with same force and effect of any other judgment entered in the Superior Court of the State of Delaware.

The term "Owner" as used in this Section shall be deemed to mean the person or persons who owned the property in question at the time of the adoption or passage of the ordinances or resolutions first in this Section referred to, and any change of ownership thereafter shall not be deemed or held to affect any of the steps or proceedings mentioned in this Section.

CONSTRUCTING, PAVING, REPAIRING OF STREETS

Section 26. The Town Council of the Town of Bethel, shall have full power and authority to regrade, redress or otherwise repair and rebuild all existing streets, lanes, alleys, and other public thoroughfares in the Town of Bethel and to construct, build, pave and in any manner improve all new and existing streets, lanes, alleys, and other public thoroughfares now opened or to be hereafter opened for public use in said Town, and in so doing shall use such materials and substances and such methods of construction and shall employ such contractor, engineers, inspectors and others as the Council may deem expedient and may use different materials and different methods of construction on different streets, or on parts of the same street, as Council deems advisable. For the purpose of this Section Council shall have full power and authority to expend such part or parts of the money of the said Town in the general fund of the Town not otherwise appropriated.

CONTRACTS

Section 27. The Council is vested with authority on behalf of the Town to enter into contracts for the rendering of personal service to the Town and/or the purchase of supplies and doing of work for any municipal purpose for the Town, provided:

A. No contract shall be made by Council for any purpose, the contract price of which is in excess of \$3,000, without public competitive bidding; and

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B. The contract shall be awarded to the lowest responsible bidder, but Council may reject any and/or all bids for any cause by it deemed advantageous to the Town; and

C. All formal contracts shall be signed by the President of the Council with Seal of the Town attached attested by the Secretary.

WATER AND LIGHTING SYSTEMS

Section 28. The Town Council is hereby vested with full power and authority to provide for the Town of Bethel a lighting system and an ample supply of pure water and to purchase, lease, erect, construct, maintain, operate and control plants, wells, reservoirs, pumping machines and stations, water mains, fire hydrants and all other instruments for the manufacture and distribution of electric current, the collection, storage, conveyance and distribution of water, on, over, under or through the lands of any person. The Council shall have power to enact ordinances, rules and regulations in regard to the use for public or private purposes of electric current and water furnished by the Town, and the amounts to be paid by the users thereof, and to fix fines, or penalties, or both for any wilful or negligent injury or damage to, or interference with the lighting and water system of the Town. The Council may, at its option, furnish electric current and water from the Town systems to places and properties outside the Town limits upon such special terms, charges and conditions as it shall deem wise.

The Council may, by condemnation proceedings, take private land, or the right to use private lands, under, over or on the surface thereof, for the proper operation or extension of the lighting and water systems. The proceedings by condemnation under this Section shall be the same as prescribed in Section 24 of this Act for the opening and laying out of new streets, and the resolutions referred to in said Section 24 shall be changed and modified to cover the cases contemplated by this present Section.

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SEWER SYSTEM

Section 29. The Town Council is hereby vested with full power and authority to provide, construct, extend, maintain and control a sewer system for the health, sanitation and convenience of the inhabitants of the said Town, on, over, under or through the lands of any person. The Council shall have power to enact ordinances, rules and regulations regarding the sewers and the sewer system of the Town and the use thereof, and the amounts to be paid by the users thereof, and to fix fines or penalties, or both, for any wilful or negligent injury or damages to or interference with the said sewers or sewer system of the Town. The Council may, at its option, furnish sewer facilities to places and properties outside of the Town limits upon such special terms, charges and conditions as it shall deem wise. The Council may require any property in the Town, for which there is any available sewer, to be connected with the sewer system and may compel the owner of such property to pay the cost of such connection and the tapping fee therefor.

The Council may, by condemnation proceedings, take private land, or the right to use private land, under, over or on the surface thereof, for the proper operation or extension of the sewers and sewer system of the Town. The proceedings by condemnation under this Section shall be the same as prescribed by Section 24 of the Act, for the opening and laying out of new streets, and the resolutions referred to in said Section 24 shall be changed and modified to cover the cases contemplated by this present Section.

ELECTRIC CURRENT, POWER PLANT, FRANCHISES

Section 30. The Council shall have power to make contracts for the purchase of heat, light, water and electric current with any responsible persons, firms, or corporations for all municipal purposes.

The Town Council shall also have full power and authority at any regular or special meeting, by a majority vote, to enact ordinances or adopt resolutions granting franchises to any re-

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sponsible person, firm, association or corporation, and for such terms of years as shall seem wise to said Council, to use the present and future streets, squares, alleys, and lanes of the said Town for purposes of furnishing light, heat, power, gas or water, or any or all of them to said Town and to the persons, firms, or corporations residing therein for the purpose of transmitting light, heat, power, gas and water, or any or all of them through, over, across or under said streets, squares, alleys and lanes to points outside of the limits of said Town; any such franchise or franchises to contain such restrictions, conditions and stipulations as shall to said Council seem wise, and said Council, by a majority vote, at any regular or special meeting, shall also have full power and authority to enter into contracts with any responsible persons, firms, associations or corporations for the furnishing of light, heat, power, gas or water, or any or all of them, or for the furnishing of electric current, either at wholesale or retail, to said Town, or to persons, firms and corporations residing therein, or adjacent thereto.

DRAINAGE

Section 31. The Town Council of said Town shall have the full jurisdiction and control within the limits of said Town of the drainage thereof, and the right to alter and change the course and direction of any of the natural water courses, runs or rivulets within the limits of the Town, and may pass ordinances for the opening of gutters, drains, and sewers within said Town limits and the regulating and maintaining, cleaning and keeping the same and the natural water courses, runs and rivulets within the said Town limits open, clean and unobstructed, and for that purpose may authorize the entry upon private lands and take, condemn and occupy the same in the same manner and by the same condemnation proceedings as hereinbefore provided in case of the water and sewer systems of the said Town and as prescribed by Section 24 of this Act for the opening and laying out of new streets, and the resolutions referred to in said Section 24 shall be changed and modified to cover the cases contemplated by this present Section.

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ORDINANCES

Section 32. The Council is hereby vested with the authority to enact ordinances or resolutions relating to any subject within the powers and functions of the Town, or relating to the government of the Town, its peace and order, its sanitation, beauty, the health, safety, convenience and comfort of its population, and the protections and preservation of property, and to fix, impose and enforce the payment of fines and penalties for the violation of such ordinances or resolutions, and no provision of this Charter as to ordinances on any particular subject shall be held to be restrictive of the power to enact ordinances or resolutions on any subject not specifically enumerated.

All ordinances or resolutions of general character relating to the government of the Town shall not be of force and effect until the same shall have been posted in at least two public places in the Town.

It shall be the duty of the Council, to compile the ordinances of the Town, to have a reasonable number of copies printed for the use of the officials of the Town and for public information; and from time to time, upon the enactment of new ordinances, or the amendment of existing ordinances, to enroll the same in the minutes of the Council, and to keep copies thereof in a book to be provided for that purpose, so that the same may be readily examined; and also to furnish the Alderman with copies thereof as they are enacted and published.

HEALTH

Section 33. A. The Board of Health for said Town of Bethel shall consist of three members appointed by the Council to serve for one year and one of whom shall be a practicing physician in said Town or in the Town of Laurel; they shall report to the Council in writing whatever is deemed by the Board to be injurious to the health of the people of the Town and shall make recommendations to Council of whatever may contribute to useful sanitary information.

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FIRE

B. The Council shall have the power to adopt all measures requisite or appropriate for protection against fire, and to appropriate money for the purpose of fire equipment, whether owned by the Town or by a Volunteer Fire Company.

ZONING

C. For protection against fire, the Council may adopt ordinances to zone or district the Town and to make particular provisions for particular zones or districts with regard to buildings and building materials; to prohibit the use of building materials that may be deemed to create a fire hazard, and this power shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute a fire menace, and to require or cause the same to be torn down, removed, or so altered as to eliminate the menace of fire; to prescribe the height and thickness of walls of any building and the kind and grade of materials used in the construction thereof; to establish a building line for buildings to be erected, provided that such building line shall not be established more than ten feet back from front line of the lots.

The Council may adopt zoning ordinances limiting and specifying districts and regulating thereon buildings and structures according to their construction and according to the nature and extent of the business to be carried on therein.

The powers to be exercised under and by virtue of this provision shall be deemed to have exercised under the police power and for the general welfare of the inhabitants.

BUILDING INSPECTION PERMITS

D. The Council may provide for the issuance of building permits, and may forbid the construction of any new building, or addition to, or alteration, or repair of any existing building unless a building permit has been obtained therefor.

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Should any person, firm or corporation hereafter desire to erect any buildings within the corporate limits of said Town for the purpose of conducting therein the business of canning fruits, vegetables, meats, oysters, etc., or for the manufacture or manipulation of phosphate, fertilizers or manures of any kind, he or they before erecting such buildings or building, or engaging in such business, shall make an application in writing for permission therefor to said Council. And should said Council determine that such building will not endanger the other property of the Town, and said business will not jeopardize the health of or be offensive to the citizens thereof, the Council shall have authority to grant a permit to erect such buildings and conduct such business.

The Council shall have full power to fix and determine the placing and replacing of poles or other structures within the Town limits for the carrying of telegraph, telephone, power or other wires, and the attachments thereto, and to cause existing poles or structures to be removed whenever the same shall be deemed to be obstructions or detrimental to the beauty of the Town, or when such poles or structures are so placed as to inconvenience persons or render property less desirable. This power shall extend as well to the location as to the relocation of such poles and structures, wires, and attachments, and may be exercised from time to time as occasion shall arise.

LICENSES

Section 34. The Council shall have the right to grant or refuse licenses for boxing exhibitions and other sports, to circuses, theatrical or minstrel companies, or like things, and exhibits or parades thereof, or the posting of bills for the advertisement thereof; to pool or billiard rooms and other places of amusement; to peddlers or canvassers; to any person having only a temporary place of business for selling or offering for sale goods, wares and merchandise; to peddlers of meats, fish, oysters or vegetables and the location of wagons or stalls, provided that the Council shall not have the power to permit, by the license, interference with any place of business or with the convenience of public travel; to provide for the payment of taxes, fines, pen-

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alties, and forfeitures by performance of labor for the Town by those who may owe taxes, fines, penalties or forfeitures, and to make proper regulations and rules therefor.

TREES

Section 35. Trees being among the chief beauties of the Town, and their preservation requiring that they be treated with special care, the Council is empowered to take necessary or appropriate action to prevent injuries to trees from electric wires or from any other source or cause whatsoever.

PENALTIES

Section 36. The Council shall have the power to enact ordinances, rules and regulations and to fix the penalties for violations, thereof relating to the use of streets, highways, lanes, and alleys, the parking of vehicles thereon, with the power to prohibit parking on streets, or portions thereof, entirely or within certain hours, or for certain lengths of time.

FINES AND IMPRISONMENT

Section 37. No fine shall be imposed in a sum exceeding One Hundred Dollars (\$100.00) exclusive of costs; and no term of imprisonment shall be imposed for violation of any rules, regulation or ordinance, or other offense or for failure to pay any fine or penalty imposed, in excess of a period of thirty days.

FLOATING DEBT

Section 38. The Town Council of said Town shall have full power and authority to borrow upon the faith and credit of the Town of Bethel, the sum or sums of money, not exceeding One Thousand Dollars (\$1,000.00), in any one fiscal year, when in the opinion of the majority of Council the needs of said Town demand it. Said Council may secure said sum or sums of money by promissory notes or certificates of indebtedness of the Town of Bethel, duly authorized by resolutions of Council, and signed by the President, or by the acting President, of the Council and by the Secretary, either with or without the corporate seal of

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the Town, affixed as is requested by the bank or person advancing the money on said notes or certificates, and no officer nor member of Council shall be personally liable for the payment of such notes or certificates because it is signed by them as officers of the Council, and is authorized by the resolution of the Council. Provided, however, any sum of money borrowed on the faith and credit of the Town of Bethel as aforesaid in any fiscal year shall be paid out of the general funds of the Town, at the minimum rate of twenty-five per centum per fiscal year and shall be paid at the end of four fiscal years following the first fiscal year which said money was borrowed with interest thereon.

SURVIVAL OF POWER AND VALIDATING SECTION

Section 39. The Act entitled "An Act to Incorporate the Town of Bethel", approved April 4, 1907, being Chapter 216 of Volume 24, Laws of Delaware, and other acts amendatory thereof are repealed; provided, however, that all ordinances of the Town of Bethel heretofore adopted and now in force pursuant to any law of this State shall continue in force until amended or repealed by the Council of the Town; all acts of the council, or of any officer of the town, lawfully done under the Laws of the State or ordinance of the town, are ratified and confirmed; all debts, fines, penalties and forfeitures due to the town of Bethel and all debts due from the Town to any person, are declared to be unaffected by this repeal and shall continue in force and effect until paid and discharged; all powers conferred by law upon the Collector of Taxes for the collection of taxes in the Town of Bethel heretofore assessed, and uncollected shall continue in force until all taxes shall be collected and paid, and the official bonds of the collector and of all other bonded officers shall be unaffected by this repeal, and they and their sureties shall continue liable for any breach of condition of said bonds; and all proceedings commenced for the collection of any penalty, fine, forfeiture or debt due said Town under any law of the ordinance shall not be affected by this repeal, but may be prosecuted to judgment and executed until the amount thereof be fully paid.

Section 40. This act shall be deemed to be a public act.

Approved April 14, 1947.

CHAPTER 283

DOVER

AN ACT TO AMEND CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, ENTITLED, "AN ACT CHANGING THE NAME OF 'THE TOWN OF DOVER' TO 'THE CITY OF DOVER' AND ESTABLISHING A CHARTER THEREFOR", BY PROVIDING FOR THE ASSESSMENT OF MALE AND FEMALE RESIDENTS OF SAID CITY FOR MUNICIPAL PURPOSES.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the Legislature concurring therein):

Section 1. That Section 47, Chapter 158, Volume 36, Laws of Delaware, as amended, be and the same is hereby amended by striking out the word "male" as the same appears in line ten of the first paragraph of said Section 47.

Section 2. That Section 47, Chapter 158, Volume 36, Laws of Delaware, as amended, be and the same is hereby amended by striking out the word "male" as the same appears in line eight of the fourth paragraph of said Section 47.

Approved April 14, 1947.

CHAPTER 284

AUTHORIZING LAUREL SPECIAL SCHOOL DISTRICT TO
CONSTRUCT AND REPAIR BUILDINGS

AN ACT TO ENABLE THE BOARD OF EDUCATION OF THE LAUREL SPECIAL SCHOOL DISTRICT TO USE CERTAIN SCHOOL FUNDS IN THE STATE TREASURY OF THE STATE OF DELAWARE TO THE CREDIT OF SAID DISTRICT FOR THE ERECTION, REPAIR AND/OR LEASING OF BUILDINGS FOR THE USE OF THE PUBLIC SCHOOLS IN SAID DISTRICT TO RELIEVE OVERCROWDED CONDITIONS.

WHEREAS, there is available in the Treasury of the State of Delaware to the credit of the Laurel Special School District in Sussex County the sum of Eighty-four Thousand Six Hundred Fifty-seven Dollars and Four Cents (\$84,657.04) for school building purposes; and

WHEREAS, said sum was raised by bond issue after a referendum vote by the voters of the Laurel Special School District for the purpose of erecting certain school buildings in said District; and

WHEREAS, the said sum is insufficient to erect the type of building for which it was originally raised; and

WHEREAS, there is great need in the Laurel Special School District for a building or buildings that will serve the emergency purpose of relieving present overcrowded conditions in the Laurel Special School District, and which can be later used when permanent additions to the Laurel School plant are provided; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Board of Education of the Laurel Special School District be authorized and empowered to use the said sum of Eighty-four Thousand Six Hundred Fifty-seven Dollars and Four Cents (\$84,657.04) now deposited to the credit

**AUTHORIZING LAUREL SPECIAL SCHOOL DISTRICT TO
CONSTRUCT AND REPAIR BUILDINGS**

of said District as aforesaid, for the purchase and erection of certain buildings which will serve the purpose of relieving the present overcrowded conditions in the Laurel School, and which building or buildings will still be useful after permanent additions to the school plant in the Laurel Special School District are provided.

Section 2. That the money hereby authorized to be expended by the Board of Education of the Laurel Special School District shall be paid out by the State Treasurer upon warrants approved by the proper officers of said Board of Education.

Approved April 14, 1947.

CHAPTER 285

AUTHORIZING CONSTRUCTION OF NEGRO HIGH
SCHOOL IN SUSSEX COUNTY

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO CONSTRUCT AND EQUIP A NEW HIGH SCHOOL BUILDING FOR NEGRO STUDENTS IN SUSSEX COUNTY; MAKING APPROPRIATIONS THEREFOR AND AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY AND ISSUE BONDS FOR PAYMENT OF THE MONEY SO APPROPRIATED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House thereof concurring therein):

Section 1. The sum of Two Hundred Thousand Dollars (\$200,000.00) is hereby appropriated to the State Board of Education of the State of Delaware for the construction and equipment of a comprehensive high school in Sussex County for Negro pupils attending grades seven (7) to twelve (12) inclusive.

Section 2. The State Board of Education is directed to locate said school upon grounds already owned by the State, or an agency or Department thereof, and held for school purposes. The said comprehensive high school shall be built under the direction of a Commission appointed under the provisions of Section 8 of Chapter 79, Volume 43, Laws of Delaware, 1941.

Section 3. The creation of a High School District to be served by the high school provided for by this Act shall be governed by the provisions of 2683. Sec. 61. of Chapter 71 of the Revised Code of Delaware, 1935, as amended. The members of the Board of School Trustees for such High School District, shall be appointed in accordance with the method provided in said Section.

Section 4. The appropriation made by this Act shall be available for the purpose stated herein only if and when an allocation of funds amounting to at least Two Hundred Thousand

AUTHORIZING CONSTRUCTION OF NEGRO HIGH SCHOOL IN SUSSEX COUNTY

Dollars (\$200,000.00) from the bequest of the late H. Fletcher Brown for the construction of vocational schools in Sussex County, is made by the State Board of Education to supplement the funds herein provided for a new high school building.

Section 5. That the Governor and the State Treasurer and the Secretary of State of the State of Delaware herein sometimes referred to as the "issuing officers", are hereby authorized, fully empowered and directed, to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of Two Hundred Thousand Dollars (\$200,000.00) to be used for the purpose of providing the appropriation hereinabove mentioned, and to issue bonds therefor.

Section 6. That the said bonds, issued in accordance with the provisions of Section 5 of this Act, shall be a direct general obligation of the State, and the public faith and credit of the State is hereby expressly pledged for the full and complete payment of the debt, principal and interest. The principal and interest of the said bonds shall be exempt from taxation by the State or by any political sub-division thereof, for any purpose whatsoever.

Section 7. That the said bonds shall be signed in the name of the State of Delaware by the Governor, the Secretary of State, and the State Treasurer, and shall have the great seal of the State impressed thereon. Attached interest coupons shall be authenticated by the Signature or facsimile signature of the State Treasurer. The said bonds may be issued notwithstanding that any of the officers signing them or whose facsimile signature appears on the coupons shall have ceased to hold office at the time of such issue or at the time of the delivery of said bonds.

Section 8. That the said bonds shall recite that they are issued for the purpose set forth in Section 1 of this Act, and that they are issued in pursuance of this Act and the Constitution of this State, and such recital shall be conclusive evidence of the authority of the State to issue said bonds and of their

AUTHORIZING CONSTRUCTION OF NEGRO HIGH SCHOOL IN SUSSEX COUNTY

validity. Any such bonds containing such recital shall, in any suit, action or proceeding involving their validity, be conclusively deemed to be fully authorized by this Act and to have been issued, executed and delivered in conformity herewith, and shall be incontestable for any cause.

Section 9. That the said bonds shall be in such form and in such denomination and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions, as may be determined by the said "issuing officers".

Section 10. That the said bonds shall bear interest payable semi-annually at a rate of interest not exceeding two per centum (2%) per annum.

Section 11. That the said bonds shall mature as the "issuing officers" may determine; provided, however, that the principal amount of said bonds shall be made to fully mature within twenty (20) years from the date of issue thereof.

Section 12. That all money received from the sale of the said bonds of the State of Delaware authorized under the provisions of this Act shall be deposited by the State Treasurer in a special fund at the Farmers' Bank of the State of Delaware, at Dover, to the credit of the State Board of Education, and shall be used exclusively for the purposes set forth in this Act.

Section 13. That the Budget Appropriation Bill enacted and approved by the General Assembly at the One Hundred and Fifteenth Session, and at each and every subsequent biennial session thereof, shall contain under the Debt Service Item provisions for the payment of maturity principal and interest of said bonds issued by virtue of this Act and such revenues of the State of Delaware that are not prohibited by constitutional provisions or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellation of the said bonds and the payment of the interest thereon.

**AUTHORIZING CONSTRUCTION OF NEGRO HIGH
SCHOOL IN SUSSEX COUNTY**

Section 14. The money hereby appropriated shall not revert to the General Fund of the State Treasury at the end of any fiscal year but shall be available for the purposes appropriated until the proposed high school is constructed and equipped.

Section 15. That this Bill shall be known as a Supplementary Appropriation Act and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury, not otherwise appropriated.

Approved April 14, 1947.

CHAPTER 286

SALARY OF BANK COMMISSIONER

AN ACT TO AMEND CHAPTER 66 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE SALARY OF THE STATE BANK COMMISSIONER.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 66 of the Revised Code of Delaware, 1935, as amended by Chapter 134, Volume 43, Laws of Delaware, 1941, be further amended by striking out the fourth sentence of 2274. Sec. 17. thereof, and by substituting in lieu of the part so stricken out the following, as the fourth sentence of said Section:

He shall receive in full compensation for his services, an annual salary of Six Thousand Dollars (\$6,000.00), payable monthly.

Approved April 14, 1947.

CHAPTER 287

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES

LICENSED CASHERS OF CHECKS

AN ACT TO AMEND CHAPTER 66 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES", BY ADDING A NEW ARTICLE TO SAID CHAPTER, TO BE DESIGNATED ARTICLE 11, WITH REFERENCE TO LICENSED CASHERS OF CHECKS BY REGULATING THE BUSINESS OF SUCH CASHERS OF CHECKS AND PRESCRIBING THE DUTIES AND AUTHORITY OF THE STATE BANK COMMISSIONER WITH RESPECT THERETO.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 66 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by adding at the end of said Chapter 66 a new Article, to be designated Article 11, the Sections of said Article to be numbered 2408A. Sec. 151A. to 2408 I. Sec. 151 I. inclusive, as follows:

LICENSED CASHERS OF CHECKS

ARTICLE 11

SUNDRY PROVISIONS

2408A. Sec. 151A. **Definitions:**—When used in this Article.

1. The term "licensed casher of checks" means any individual, partnership, unincorporated association or corporation duly licensed by the Commissioner to engage in business pursuant to the provisions of this Article.

2. The term "licensee" means a licensed casher of checks, drafts and/or money orders.

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**LICENSED CASHERS OF CHECKS**

3. The term "mobile unit" means any vehicle or other movable means from which the business of cashing checks, drafts or money orders is to be conducted.

4. The term "Commissioner" as used in this Article shall mean State Bank Commissioner of the State of Delaware.

5. The term "limited station" means that the licensee is authorized to carry on his business of cashing checks for the employees of a single and particular business or office, and at a single location at or near such particular business or office site.

2408B. Sec. 151B. License Requirements; Fees; Capital Requirements:—

1. No person, partnership, association or corporation shall engage in the business of cashing checks, drafts or money orders for a consideration without first obtaining a license from the Commissioner.

2. Application for such license shall be in writing, under oath, and in the form prescribed by the Commissioner, and shall contain the name, and the address both of the residence and place of business, of the applicant, and if the applicant is a co-partnership or association, of every member thereof, and if a corporation, of each officer and director thereof; also, if the business is to be conducted at a specific address, the address at which the business is to be conducted, and if the business is to be conducted from a mobile unit, the Delaware state registration number or other identification of such mobile unit and the area in which the applicant proposes to operate such mobile unit; and also such further information as the Commissioner may require.

3. Such applicant at the time of making such application shall pay to the Commissioner the sum of Fifty Dollars as a fee for investigating the application and the additional sum of One Hundred Dollars as a license fee for a period terminating

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**LICENSED CASHERS OF CHECKS**

on the last day of the current calendar year except that in the event the business is to be conducted from a mobile unit, the fee for investigating the application shall be One Hundred Dollars, and the license fee shall be Two Hundred Dollars; provided, that if the application is filed after June thirtieth in any year such payment shall be one-half of the stated license fee in addition to the said fee for investigation.

4. Every applicant shall prove, in form satisfactory to the Commissioner that he or it has available for the operation of such business, for each location and for each mobile unit specified in the application, liquid assets of at least Five Thousand Dollars, and every licensee shall continuously maintain for the operation of such business for each location and for each mobile unit liquid assets of at least Five Thousand Dollars.

2408C. Sec. 151C. Bond to be Filed with Commissioner:—
The applicant shall also at the same time file with the Commissioner a bond to be approved by him in which the applicant shall be the obligor, in the sum of Five Thousand Dollars, with one or more sureties whose liability as such sureties need not exceed the said sum in the aggregate. The said bond shall run to the Commissioner for the use of the State. Such bond shall be conditioned that said obligor will faithfully conform to and abide by the provisions of this Article and of all rules and regulations lawfully made by the Commissioner hereunder, and will pay to the State any and all moneys that may become due or owing to the State from said obligor under and by virtue of the provisions of this Article. One or more recoveries or payments upon such bond shall not cancel or vitiate the bond but it shall remain in full force and effect; provided, however, that if the aggregate amount of all such recoveries or payments shall exceed the sum thereof, the licensee shall be required to furnish a new and additional bond under the provisions and requirements of this Section, in like amount as the original one, which shall be filed with the Commissioner within thirty days after the demand therefor.

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**LICENSED CASHERS OF CHECKS**

2408D. Sec. 151D. Conditions Precedent to Issuing License; Issuance and Filing of License; Posting License:—

1. If the Commissioner shall find that the financial responsibility, experience, character, and general fitness of the applicant, and of the members thereof if the applicant be a co-partnership or association, and of the officers and directors thereof if the applicant be a corporation, are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly, and efficiently within the purposes of this Article, and if the Commissioner shall find that the granting of such application will promote the convenience and advantage of the area in which such business is to be conducted, and if the Commissioner shall find that the applicant has available for the operation of such business for each location and for each mobile unit specified in the application liquid assets of at least Five Thousand Dollars, he shall thereupon execute a license in duplicate to permit the cashing of checks, drafts and money orders in accordance with the provisions of this Article at the location or in the area specified in such application. The Commissioner shall transmit one copy of such license to the applicant and file another in the office of the department.

2. Such license shall state the name of the licensee; and if the licensee is a co-partnership or association, the names of the members thereof; and if the licensee is a corporation, the date of its incorporation; and if the business is to be conducted at a specific address, the address at which such business is to be conducted; and if the business is to be conducted through the use of a mobile unit, the Delaware state registration number or other identification of such mobile unit and the area in which such mobile unit is authorized to do business.

3. Such license shall be kept conspicuously posted in the place of business of the licensee or, in the case of a mobile unit, upon such mobile unit. Such license shall not be transferable or assignable.

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**LICENSED CASHERS OF CHECKS**

4. Such license issued pursuant to this Chapter shall be for a term expiring on the thirty-first day of December following the date of its issuance, and may be renewed for the ensuing calendar year upon the filing of an application in conformity with Section 151B. and Section 151C. of this Article except no fee shall be charged by the Commissioner for investigating such application. If an application for a renewal license shall have been filed with the Commissioner before January first of any year, the license sought to be renewed shall continue in full force and effect either until the issuance by the Commissioner of the renewal license applied for or until five days after the Commissioner shall have refused to issue such renewal license and shall have given notice of such refusal to the applicant.

5. If the Commissioner shall find that the applicant fails to meet any of the conditions set forth in paragraph one of this Section, he shall not issue such license, and he shall notify the applicant of the denial. If an application is denied or withdrawn, the Commissioner shall, except where the application is for renewal of a license in force as provided in paragraph four of this Section, retain the investigation fee to cover the costs of investigating the application and return the license fee to the applicant.

2408E. Sec. 151E. Restrictions as to Place or Area of Doing Business; Establishment of Stations; Change of Location:—

1. No more than one place of business or one mobile unit shall be maintained under the same license; provided, however, that more than one license may be issued to the same licensee upon compliance with the provisions of this Article for each new license.

2. Any licensed cashier of checks may open and maintain, within this State, one or more limited stations for the purpose of cashing checks, drafts or money orders for the particular group or groups specified in the license authorizing each such station. Such stations shall be licensed pursuant to and be sub-

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**LICENSED CASHERS OF CHECKS**

ject to all the provisions of this Chapter applicable to licensed cashers of checks, except that no bond shall be required for such a station, the fee for investigating the application for a station shall be Ten Dollars and the annual license fee for each such station shall be Twenty Dollars.

3. A licensee may make a written application to the Commissioner for leave to change his place of business, or in the case of a mobile unit, the area in which such unit is authorized to be operated, stating the reasons for such proposed change. If the Commissioner approves such application he shall issue a new license in duplicate in accordance with the provisions of Section 151D. of this Article, stating the new location of such licensee or, in the case of a mobile unit, the new area in which such mobile unit may be operated.

2408F. Sec. 151F. **Regulations:**—The Commissioner is hereby authorized and empowered to make such rules and regulations, and such specific rulings, demands, and findings as he may deem necessary for the proper conduct of the business authorized and licensed under and for the enforcement of this Article, in addition hereto and not inconsistent herewith.

2408G. Sec. 151G. **Fees and Charges; Posting Schedule; Records:**—

1. The licensee shall not charge or collect in fees or charges for cashing a check, draft or money order a sum or sums to exceed one-half of one per centum thereof, or twenty-five cents, whichever is greater. In every location and upon every mobile unit licensed under this Article, there shall be conspicuously posted and at all times displayed, a schedule of fees and charges permitted under this Article.

2. Each licensee shall keep and use in the business such books, accounts, and records as the Commissioner may require to carry into effect the provisions of this Article and the rules and regulations made by the Commissioner hereunder. Every licensee shall preserve such books, accounts and records for at least two years.

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**LICENSED CASHERS OF CHECKS****2408H. Sec. 151H. Acts Prohibited; Suspension or Revocation of License; Penalties:—**

1. No licensee shall engage in the business of making loans of money, credit, goods or things or discounting of notes, bills of exchange, checks, or other evidences of debt pursuant to the provisions of Chapters 66 and 100 of the Revised Code of Delaware, 1935, as amended, nor shall a loan business or the negotiation of loans or the discounting of notes, bills of exchange, checks or other evidences of debt be conducted on the same premises where the licensee is conducting business pursuant to the provisions of this Article. No licensee shall at any time cash or advance any moneys on a post-dated check or draft or engage in the business of transmitting money or receiving money for transmission.

2. The Commissioner may suspend or revoke any license or licenses issued pursuant to this Article if, after notice and a hearing, he shall find that the licensee (a) has committed any fraud, engaged in any dishonest activities or made any misrepresentation; or (b) has violated any provisions of the banking law or any regulation issued pursuant thereto, or has violated any other law in the course of its or his dealings as a licensed casher of checks; or (c) has made a material misstatement in the application for such license; or (d) has demonstrated his or its incompetency or untrustworthiness to act as a licensed casher of checks, or if he shall find that any fact or condition exists with relation to the license which, if it had existed at the time of the original application for the license, would have warranted the refusal thereof. Such a hearing shall be held in the manner and upon such notice as may be prescribed by the Commissioner. Pending an investigation or a hearing for the suspension or revocation of any license or licenses issued pursuant to this Article, the Commissioner may temporarily suspend such license or licenses for a period not to exceed thirty days, provided the Commissioner shall find that such a temporary suspension is in the public interest.

BANKS, SAVINGS SOCIETIES AND TRUST COMPANIES**LICENSED CASHERS OF CHECKS**

3. Whenever the Commissioner shall suspend or revoke a license issued pursuant to this Article, he shall forthwith execute a written order to that effect. The Commissioner shall on the date such order is executed file one copy thereof in the office of the department and serve a second copy thereof on the licensee either personally or by mailing the same to the last known address of such licensee.

4. Any person, partnership, association or corporation and the several members, officers, directors, agents and employees thereof, who shall violate any of the provisions of this Article, shall be guilty of a misdemeanor, and shall be punishable by imprisonment for not more than one year or by a fine of not more than Five Hundred Dollars, or by both such fine and imprisonment.

2408 I. Sec. 151 I. **Application of Article:**—The provisions of this Article shall not apply when checks, drafts or money orders are cashed without a consideration or charge; nor when checks, drafts or money orders are cashed by any person, partnership, association or corporation as an incident to the conduct of any other lawful business where not more than 10 cents is charged for cashing each check, draft or money order; nor shall the provisions of this Article apply to any national bank, federal reserve bank, or to any person, partnership, association, corporation or other organization doing business under or pursuant to the provisions of the banking law, except a licensee under this Article.

Approved April 14, 1947.

CHAPTER 288

NEEDY BLIND

AN ACT TO AMEND CHAPTER 83 OF VOLUME 45, LAWS OF DELAWARE, 1945, ENTITLED "AN ACT TO SUPPLEMENT CHAPTER 75, OF THE REVISED CODE OF DELAWARE, RELATING TO THE PUBLIC WELFARE BY PROVIDING AID TO THE NEEDY BLIND CONSISTENT WITH TITLE X OF THE FEDERAL SOCIAL SECURITY ACT", WITH REFERENCE TO AMOUNT OF ASSISTANCE, EXAMINATION BY OPHTHALMOLOGISTS OR PHYSICIANS, AND EXPENSES FOR TREATMENT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 4 of Chapter 83, Volume 45, Laws of Delaware, 1945, be amended by striking out and repealing all of said Section and inserting and enacting in lieu thereof a new Section 4 as follows:

"Section 4. **Amount of Assistance:**—The amount of assistance which any person shall receive shall be determined by the Commission with due regard to the resources and necessary expenditures of the individual and the conditions existing in each case and in accordance with the rules and regulations made by the Commission, and shall be sufficient, when added to all other income and support of the recipient, to provide such person with a reasonable subsistence compatible with decency and health. In no case, however, shall any person receive more than Forty-five Dollars (\$45.00) per month."

Section 2. That Section 5 of Chapter 83, Volume 45, Laws of Delaware, 1945, be amended by striking out and repealing all of paragraph (h) of said Section and inserting and enacting in lieu thereof a new paragraph (h) as follows:

"(h) Designate Ophthalmologists or physicians skilled in the diseases of the eye, duly licensed to practice medicine in

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Delaware and actively engaged in the treatment of diseases of the eye, to examine applicants and recipients of assistance to the blind;"

Section 3. That Section 8 of Chapter 83, Volume 45, Laws of Delaware, 1945, be amended by striking out and repealing all of said Section 8 and inserting and enacting in lieu thereof a new Section 8 as follows:

"Section 8. Examination by Ophthalmologists or Physicians:—No application shall be approved until the applicant has been examined by an ophthalmologist or physician skilled in diseases of the eye, designated or approved by the Commission to make such examinations. The examining ophthalmologist or physician shall certify in writing upon forms provided by the Commission the findings of the examination."

Section 4. That Section 14 of Chapter 83, Volume 45, Laws of Delaware, 1945, be amended by striking out and repealing all of said Section 14 and inserting and enacting in lieu thereof a new Section 14 as follows:

"Section 14. Expenses for Treatment:—Supplementary services may be provided by the Commission to any applicant or recipient who is in need of treatment either to prevent blindness or to restore his eyesight whether or not he is blind as defined in Section 2 of this Act if he is otherwise qualified for assistance under this Act. The supplementary services may include necessary travelling and other expenses to receive treatment from a hospital, clinic, ophthalmologist or physician skilled in diseases of the eye, designated by the Commission. In cases of total blindness even where the maximum amount of assistance of Forty-five Dollars (\$45.00) per month is allowed, the Commission may provide additional sums for medical and nursing care where the income of the recipient from all sources, together with such help as his or her family is able to render, is insufficient to provide reasonable subsistence and medical and nursing care compatible with decency and health."

Approved April 14, 1947.

CHAPTER 289

APPROPRIATION

OLD AGE WELFARE COMMISSION

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF ADDITIONAL FACILITIES AT THE STATE WELFARE HOME AT SMYRNA, MAKING AN APPROPRIATION TO THE STATE OLD AGE WELFARE COMMISSION FOR SUCH ADDITIONAL FACILITIES, AND AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY AND ISSUE BONDS FOR THE PAYMENT THEREFOR IN THE AMOUNT OF TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00).

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House thereof concurring therein):

Section 1. There is hereby appropriated to the State Old Age Welfare Commission the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be necessary, out of the proceeds of a bond issue authorized to provide the necessary funds for the purpose of this Act. This Bill shall be known as a Supplementary Appropriation Bill, and the funds so appropriated shall not revert to the General Fund of the State Treasury at the end of any fiscal year but shall remain and be available for the purpose indicated until the same has been expended.

Section 2. The State Old Age Welfare Commission is hereby authorized, empowered and directed to erect upon the grounds of the State Welfare Home at Smyrna a new guest pavilion to accommodate inmates of the Welfare Home who are now living in an over-crowded condition.

Section 3. The money hereby appropriated and which may be available out of the proceeds of the bond issue herein provided shall be paid out by the State Treasury upon warrants approved and signed by the proper officers of the State Old Age Welfare Commission.

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Section 4. That the Governor and the State Treasurer and the Secretary of State of the State of Delaware herein sometimes referred to as the "issuing officers", are hereby authorized, fully empowered and directed, to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of Two Hundred and Fifty Thousand Dollars (\$250,000.00) which shall be used for the purposes set forth in this Act entitled, "An Act to Provide for the Construction of Additional Facilities at the State Welfare Home at Smyrna, Making an Appropriation to the State Old Age Welfare Commission for Such Additional Facilities, and Authorizing the State of Delaware to Borrow Money and Issue Bonds for the Payment Therefor in the Amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00)".

Section 5. That the said bonds, issued in accordance with the provisions of this Act, shall be a direct general obligation of the State, and the public faith and credit of the State is hereby expressly pledged for the full and complete payment of the debt, principal and interest. The principal and interest of the said bonds shall be exempt from taxation by the State or by any political sub-division thereof, for any purpose whatsoever.

Section 6. That the said bonds shall be signed in the name of the State of Delaware by the Governor, the Secretary of State, and the State Treasurer, and shall have the great seal of the State impressed thereon. Attached interest coupons shall be authenticated by the signature or facsimile signature of the State Treasurer. The said bonds may be issued notwithstanding that any of the officers signing them or whose facsimile signature appears on the coupons shall have ceased to hold office at the time of such issue or at the time of the delivery of said bonds.

Section 7. That the said bonds shall recite that they are issued for the purpose set forth in this Act, and that they are issued in pursuance of this Act and the constitution of this State, and such recital shall be conclusive evidence of the authority of the State to issue said bonds and of their validity. Any such bonds containing such recital shall, in any suit, action

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or proceeding involving their validity, be conclusively deemed to be fully authorized by this Act and to have been issued, executed and delivered in conformity herewith, and shall be incontestable for any cause.

Section 8. That the said bonds shall be in such form and in such denomination and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions, as may be determined by the said "issuing officers".

Section 9. That the said bonds shall bear interest payable semi-annually at a rate of interest not exceeding two per centum (2%) per annum.

Section 10. That the said bonds shall mature as the "issuing officers" may determine; provided, however, that beginning after June 30, 1947, not less than Twelve Thousand Dollars (\$12,000.00) of the principal debt hereby authorized shall be paid each year until the total of the said debt is fully paid.

Section 11. That all money received from the sale of the said bonds authorized under the provisions of this Act shall be deposited by the State Treasurer in a Special Fund, at the Farmers' Bank of the State of Delaware, at Dover, to be opened by him for such purpose, and shall be used exclusively for the purpose set forth in this Act, and shall be allocated to the State Old Age Welfare Commission.

Section 12. That the Budget Appropriation Bill enacted and approved by the General Assembly at the One Hundred and Fifteenth Session, and at each and every subsequent biennial session thereof, shall contain under the Debt Service Item provisions for the payment of maturity principal and interest of said bonds issued by virtue of this Act and of such revenues of the State of Delaware that are not prohibited by constitutional provisions or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellations of the said bonds and the payment of the interest thereon.

Approved April 14, 1947.

CHAPTER 290

APPROPRIATION

INDUSTRIAL ACCIDENT BOARD

AN ACT MAKING AN APPROPRIATION TO THE INDUSTRIAL ACCIDENT BOARD TO PAY EXPENSES MADE NECESSARY BY THE TRANSFER OF BONDS OF CARRIERS OR SELF-INSURERS DEPOSITED TO SECURE THEIR OBLIGATIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. There is hereby appropriated to the Industrial Accident Board of the State of Delaware the sum of Six Hundred Dollars (\$600.00) to pay the expenses made necessary by an Act providing for the transfer and depositing of certain bonds of insurance carriers or self-insurers.

The amount hereby appropriated shall be paid by the State Treasurer upon warrants approved by the proper officials of the Industrial Accident Board.

Section 2. The money hereby appropriated shall not revert to the General Fund of the State Treasury until the first day of July, A. D. 1949.

Section 3. This Bill shall be known as a Supplementary Appropriation Act and the amount hereby appropriated shall be paid out of any money in the General Fund of the State Treasury not otherwise appropriated.

Approved April 14, 1947.

CHAPTER 291

APPROPRIATION

DELAWARE COMMISSION FOR THE FEEBLE MINDED

AN ACT AUTHORIZING THE DELAWARE COMMISSION FOR THE FEEBLE MINDED TO CONSTRUCT AND EQUIP A BUILDING TO BE USED AS A STOREHOUSE AND WAREHOUSE WITH REFRIGERATION FACILITIES AND A HOUSING UNIT FOR RESIDENT PHYSICIAN; MAKING APPROPRIATION THEREFOR AND AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY AND ISSUE BONDS FOR PAYMENT OF THE MONEY SO APPROPRIATED.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (three-fourths of all the members elected to each House concurring therein):

Section 1. The Delaware Commission for the Feeble Minded is hereby authorized, directed and empowered to erect and construct and equip a suitable building to be used as a storehouse and warehouse with refrigeration facilities and to erect and construct a housing unit for a resident physician at the State Institution for Feeble-minded at Delaware Colony, near Stockley, Delaware.

Section 2. The said Commission shall have power and authority to make and enter into all contracts and agreements with any person, firm or corporation which it may consider necessary to or advisable for the performance of its duties and the execution of its powers under this Act; it may establish rules and regulations covering advertising for proposals for the construction of said buildings and equipments and may establish standards of eligibility for prospective bidders; it may receive sealed proposals for the construction and equipment of said buildings, reserving the right to reject any or all proposals, said proposals to be publicly opened at time specified in the advertisement. The contract or contracts for such work and/or equipment shall be awarded by the Commission to the lowest responsible bidder, unless in the opinion of said Commission the interests of the State will be better served by awarding the contract to some

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other bidder. The successful bidder shall promptly execute a formal contract, to be approved as to its form, terms and conditions by said Commission, and shall also furnish a bond in accordance with the provisions of 3119. Sec. 19, Chapter 77 of the Revised Code of Delaware, 1935, and all such provisions, as far as applicable, are hereby incorporated herein by reference and all of the provisions thereof applicable to bonds furnished thereunder shall be likewise applicable to bonds furnished hereunder.

Section 3. There is hereby appropriated to the Delaware Commission for the Feeble Minded the sum of One Hundred and Ten Thousand Dollars (\$110,000.00), or so much thereof as may be necessary, out of the proceeds of a bond issue authorized to provide the necessary funds for the purpose of this Act. The funds so appropriated shall not revert to the General Fund of the State Treasury at the end of any fiscal year but shall remain and be available for the purpose indicated until the same has been expended.

Section 4. That the Governor and the State Treasurer and the Secretary of State of the State of Delaware herein sometimes referred to as the "issuing officers", are hereby authorized, fully empowered and directed, to borrow upon the faith and credit of the State of Delaware a sum of money not in excess of One Hundred and Ten Thousand Dollars (\$110,000.00) which shall be used for the purposes set forth in this Act.

Section 5. That the said bonds, issued in accordance with the provisions of this Act, shall be a direct general obligation of the State, and the public faith and credit of the State is hereby expressly pledged for the full and complete payment of the debt, principal and interest. The principal and interest of the said bonds shall be exempt from taxation by the State or by any political subdivision thereof, for any purpose whatsoever.

Section 6. That the said bonds shall be signed in the name of the State of Delaware by the Governor, the Secretary of State, and the State Treasurer, and shall have the great seal of

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the State impressed thereon. Attached interest coupons shall be authenticated by the signature or facsimile signature of the State Treasurer. The said bonds may be issued notwithstanding that any of the officers signing them or whose facsimile signature appears on the coupons shall have ceased to hold office at the time of such issue or at the time of the delivery of said bonds.

Section 7. That the said bonds shall recite that they are issued for the purpose set forth in this Act, and that they are issued in pursuance of this Act and the Constitution of this State, and such recital shall be conclusive evidence of the authority of the State to issue said bonds and of their validity. Any such bonds containing such recital shall, in any suit, action or proceeding involving their validity, be conclusively deemed to be fully authorized by this Act and to have been issued, executed and delivered in conformity herewith, and shall be incontestable for any cause.

Section 8. That the said bonds shall be in such form and in such denomination and may contain such other and further recital and be subject to such terms and conditions, with such privileges as to registration, conversion, reconversion, redemption and exchange, and may contain such other provisions, as may be determined by the said "issuing officers".

Section 9. That the said bonds shall bear interest payable semi-annually at a rate of interest not exceeding two per centum (2%) per annum.

Section 10. That the said bonds shall mature as the "issuing officers" may determine; provided, however, that beginning after June 30, 1947, not less than Five Thousand Dollars (\$5,000.00) of the principal debt hereby authorized shall be paid each year until the total of the said debt is fully paid.

Section 11. That all money received from the sale of the said bonds authorized under the provisions of this Act shall be deposited by the State Treasurer in a Special Fund, at the

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Farmers' Bank of the State of Delaware, at Dover, to be opened by him for such purpose, and shall be used exclusively for the purpose set forth in this Act, and shall be allocated to the Delaware Commission for the Feeble Minded.

Section 12. That the Budget Appropriation Bill enacted and approved by the General Assembly at the One Hundred and Fifteenth Session, and at each and every subsequent biennial session thereof, shall contain under the Debt Service Item provisions for the payment of maturity principal and interest of said bonds issued by virtue of this Act and of such revenues of the State of Delaware that are not prohibited by constitutional provisions or committed by preceding statutes for other purposes are hereby pledged for the redemption and cancellations of the said bonds and the payment of the interest thereon.

Approved April 14, 1947.

CHAPTER 292

SUBURBAN COMMUNITY CODE

AN ACT TO AMEND CHAPTER 123, VOLUME 45, LAWS OF DELAWARE, RELATING TO SUBURBAN COMMUNITY CODE, BY EXTENDING SAID ACT TO INCLUDE STORM SEWERS; CHANGING THE TIME FOR FILING PETITIONS THEREUNDER; CHANGING TIME FOR LEVY COURT TO ACT; AUTHORIZING USE OF GENERAL FUNDS OF THE LEVY COURT UNDER CERTAIN CIRCUMSTANCES; CHANGING THE LANGUAGE OF A CERTAIN PART OF SECTION 14 THEREOF; INSERTING A SUBSTITUTE SECTION 20 THEREIN; EXTENDING THE TIME FOR ENTERING LIENS; EXTENDING THE TIME FOR GIVING NOTICE OF ASSESSMENT AND FIXING THE TIME MORE DEFINITELY FOR COMPUTING INTEREST.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House thereof concurring therein):

Section 1. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing the last six words, beginning with the word "sidewalks", of the first paragraph of Section 2 thereof and by substituting in lieu thereof the following words:

"sidewalks, installation of surface drainage and installation of storm sewers,"

Section 2. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing all of Section 3 thereof and substituting in lieu thereof a new section as follows:

"Section 3. **Petition to Levy Court Contents Thereof; When May be Presented and by Whom:**—During the months of September and October of any year, the freeholders owning fifty per cent or more of the front foot of property abutting said contemplated improvement or improvements in said suburban community may present a petition to the Levy Court which said

SUBURBAN COMMUNITY CODE

petition shall set forth (a) that in the opinion of the signers of said petition, said community shall be improved by the laying, repairing or completion of sidewalks or streets, installation of surface drainage and installation of storm sewers, or any one of said improvements; and (b) requesting the Levy Court to proceed in accordance with the provisions of this Act to issue bonds to provide the money for said improvements. Each and every such petition when and as presented as hereinabove provided shall have attached thereto as a part thereof a drawing showing the street layout and the extent of the improvements, which said drawing shall be obtained from the said Highway Department."

Section 3. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing all of Section 4 thereof and substituting in lieu thereof a new section as follows:

"Section 4. Levy Court to Determine if Community is 'Suburban Community'; Time for Determination:—Within 15 days after receipt by the Levy Court of the survey and plot as hereinafter provided in Section 5 hereof the Levy Court shall meet and determine whether said community is a suburban community as provided in Section 2 of Chapter 123, Volume 45, Laws of Delaware."

Section 4. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing all of Section 12 thereof and by substituting in lieu thereof a new section as follows:

"Section 12. Issuance of Bonds by the Levy Court; Terms and Conditions Thereof; Use of General Funds of Levy Court:—Provided the vote of the community is in the affirmative, the Levy Court shall promptly meet and by resolution authorize the issuance of bonds, except as hereinafter specifically provided, to defray the expenses of the improvement or improvements favored by the freeholders of said community. Said resolution shall also state the total amount of said bond issue which said amount shall be determined from an estimate submitted to the

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Levy Court by the State Highway Department and said amount may be in the amount of said estimate and up to ten per cent thereover, the purposes for the issue, the date of maturity, or that the bonds shall mature serially or be retired by lot, as the case may be, and all other terms and conditions under which said bonds are to be issued. Said Levy Court, before deciding upon the terms and conditions of said bond issue, shall seek the advice of at least two substantial bankers or brokers in Delaware accustomed to deal in municipal, county or state bond issues. In the event that the estimate or estimates from the State Highway Department, as hereinabove provided, after making provision for ten per cent over and above estimated costs is or are less than Twenty Thousand Dollars, the Levy Court may use monies in its own general fund to defray costs of construction.

Section 5. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing so much of lines 7 and 8 of Section 14 thereof which now reads "Special Fund Created in Section 30 hereof" and enacting and inserting in lieu thereof the following words:

"Special Sinking Fund created in Section 28 hereof".

Section 6. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing all of Section 20 thereof and substituting in lieu thereof a new section as follows:

"Section 20. Assessment on Real Property in Suburban Community; Time for Making Thereof; Basis for Making; Purpose of Assessment:—Not later than 30 days after the date of receipt of the final contract costs from the State Highway Department by the Levy Court, but in no event more than eight months after the sale of said bond issue, the Levy Court shall make a special assessment or levy upon all real property of every freeholder in said suburban community which is now assessable and taxable. Such assessment shall be made in such a manner that the real property of each freeholder of said community, upon the basis of front footage abutting upon the improvement or improvements, shall equitably bear its pro rata

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share of the costs of said improvements, and the sum total of all assessments, or levies so made shall equal the total amount of the final contract costs, together with all interest accruing on the full amount of the bond issue until maturity. In the event that final contract costs are not determined within the aforementioned eight-month period, the Levy Court shall make a temporary special assessment or levy upon the basis of the contract bid, together with all interest accruing on the full amount of the bond issue until maturity, said temporary special assessment to be adjusted when final contract costs are known.

In the event that monies from the general fund of the Levy Court are used as heretofore provided in Section 12, the special assessment shall be determined on the basis of final contract costs plus interest. The interest rate shall be the average rate of all interest on bonds issued for similar purposes during the previous calendar year. All interest collected from such special assessments shall be deposited in the special sinking fund account as hereinafter provided for in Section 28.

The provisions of this Section, relating to the special assessment being upon the basis of the final contract costs together with all interest accruing on the full amount of the bond issue until maturity, shall be retroactive to include all work heretofore contracted for under the provisions of the Suburban Road Act and the Levy Court is hereby directed to adjust all special assessments to conform with the provisions of this Section, such adjustments, however, not to be retroactive as to payments due or collections received prior to the effective date of this amendment.

Section 7. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing the word "fifteen" as the same appears in the first line of Section 22 thereof and substituting in lieu thereof the following word: "thirty".

Section 8. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing the word "ten" as the same appears in the first line

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of Section 23 thereof and substituting in lieu thereof the following word: "twenty".

Section 9. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out and repealing all that part of the last sentence of Section 23 thereof beginning with and following the word "interest" as said word appears in the eighteenth line of said section and substituting in lieu thereof the following words:

"interest at six per cent per annum shall be charged upon said proportionate annual amount of said special assessment or levy beginning sixty days after mailing of said notice and continuing until said assessment is fully paid".

Section 10. That Chapter 123, Volume 45, Laws of Delaware, be and the same is hereby amended by striking out the word "the" in line 3 of Section 15 thereof and enacting and inserting in lieu thereof the follows: "ten per cent (10%) of the"

Approved April 17, 1947.

CHAPTER 293

NEW CASTLE COUNTY

REGIONAL PLANNING

AN ACT TO AMEND CHAPTER 168 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED "REGIONAL PLANNING", BY PROVIDING FOR MEMBERS; TERMS; VACANCIES; COMPENSATION; QUALIFICATIONS; EXISTING MEMBERS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 168 of the Revised Code of Delaware, 1935, as amended by Chapter 266, Volume 43, Laws of Delaware, and Chapter 114, Volume 45, Laws of Delaware, shall be and the same is hereby further amended by striking out paragraph 5789, Sec. 3 thereof, and inserting in lieu thereof the following, to be known as 5789, Sec. 3:—

5789. Sec. 3. **Members; Terms; Qualifications; Vacancies; Compensation; Existing Members:**—On and after the effective date of this Act the said Regional Planning Commission of New Castle County shall consist of eleven members as follows:

The Chief Engineer of the Street and Sewer Department of the City of Wilmington, the Chief Engineer of the Board of Water Commissioners of the City of Wilmington, a member appointed by the Board of Park Commissioners of the City of Wilmington, the County Engineer of New Castle County, and seven members to be appointed, one of whom shall be appointed by the State Highway Department of the State of Delaware, one of whom shall be appointed by the State Board of Health of the State of Delaware, four of whom shall be appointed by the Levy Court of New Castle County, and one of whom shall be appointed by the Mayor of The Mayor and Council of Wilmington.

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The terms, as members of the Commission, of the Chief Engineer of the Street and Sewer Department of the City of Wilmington, Chief Engineer of the Water Commissioners of the City of Wilmington, and County Engineer of New Castle County, shall come to an end at the end of the respective terms for which they were chosen as such Chief Engineer of the Street and Sewer Department of the City of Wilmington, Chief Engineer of the Water Commissioners of the City of Wilmington, and County Engineer of New Castle County. The members of the Commission appointed by the State Highway Department, the Board of Park Commissioners, and by the State Board of Health shall serve at the pleasure of said State Highway Department, Board of Park Commissioners, and said State Board of Health, respectively.

The members of the said Commission heretofore appointed shall continue as such members for the unexpired portion of the term for which they were appointed. The said Levy Court shall promptly appoint two additional members to said Commission, one of whose term shall be for three years and one of whose term shall be for four years. Thereafter, all of the members appointed by the said Levy Court and by the said Mayor shall be appointed for the term of five years as follows:

During the month of June, A. D. 1947, and during the month of June of each year thereafter in which a term of any member theretofore appointed by said Levy Court expires, the said Levy Court shall appoint a member to said Commission. During the month of June, A. D. 1949, and every fifth year thereafter, the said Mayor shall appoint a member to said Commission. The members so appointed shall be residents of New Castle County and not more than two members shall be appointed from the same Hundred. Persons shall be appointed who shall be known to have knowledge and experience to pass upon regional planning and zoning problems in connection with urban and rural development, and who at the time of appointment are not

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candidates for or incumbents of an elective public office. The terms of office shall commence on the first day of July following their appointment. When any vacancy occurs in said Commission, either by death, resignation, expiration of term of office, removal, or otherwise, of any person so appointed, the vacancy shall be filled for the unexpired term by the body or person which appointed the member to the office in which such vacancy occurred. The members of said Commission shall serve without compensation, but shall be paid their necessary expenses incurred in the performance of their duties. Each member shall serve until his successor is appointed and qualified.

Approved April 17, 1947.

CHAPTER 294

NEW CASTLE COUNTY LEVY COURT

CONSTRUCTION OF SEWERAGE SYSTEMS

AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE OF DELAWARE OF 1935, AS AMENDED, RELATING TO THE LEVY COURT OF NEW CASTLE COUNTY BY PROVIDING FOR THE CONSTRUCTION AND ACQUISITION OF SEWERS, SEWAGE DISPOSAL PLANTS AND PUMPING STATIONS, AND BY PROVIDING THE MANNER OF PAYMENT OF THE COST THEREOF.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 24, Chapter 43 of the Revised Code of Delaware, 1935, being Code Section 1170, as amended, be and the same is hereby further amended by striking out the first paragraph of said Section and substituting in lieu thereof the following:

1170. Sec. 24. Sewers, Sewage Disposal Plants and Pumping Stations Within New Castle County; Construction of, Acquisition of, Connections With, and Payment for:—The Levy Court of New Castle County is hereby authorized and empowered to construct or acquire by condemnation, agreement, purchase, or by gift such sewage disposal plants, pumping stations, sewers or sewer systems within said County outside of the corporate limits of any city or town as may seem to said Levy Court necessary to meet the requirements thereof. The Levy Court is likewise authorized and empowered to make agreements with incorporated cities and towns to permit interconnection of their respective sewer systems, to permit the County to build or acquire sewers, sewer systems, sewage disposal plants, or pumping stations in the said incorporated cities or towns, or to permit the County to maintain and operate said sewers, sewer systems, sewage disposal plants and pumping stations. The cost of said sewage disposal plants, pumping stations, sewers, or sewer systems both for construction, maintenance, repair, enlargement, and operation shall be paid primarily, as other County expenses,

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CONSTRUCTION OF SEWERAGE SYSTEMS

out of money collected for taxes for County purposes or out of fees and assessments collected for use of the said sewage disposal plants and sewers. The Levy Court shall fix by resolution the amount of money which shall be paid by the owner of any property for the privilege of connecting any building thereon to the County sewers or to any portion of the County sewer system, this amount to be known as the "sewer use fee", and the Levy Court may from time to time change such amounts, which change shall apply only to new connections for which permits are issued after the effective date of such changed rates or amounts. The amounts to be paid shall be based either on the entire area of the floors, including the floor of the cellar or basement, of the building or buildings to be drained, or upon the front footage of the property on which the said buildings are erected, or upon any combination of these two methods. In addition to this charge for the privilege of connection the Levy Court may also charge an additional fee, to be known as "physical connection fee", which fee shall not exceed twenty-five dollars for each physical connection from the said buildings to any County sewer. The Levy Court may adopt and amend from time to time such rules and regulations as it sees fit to provide for the method of determining the floor area or front footage, to cover the necessary applications and permits, to regulate the use of the sewers, to establish the time and manner of paying charges and fees. Such rules, agreements, regulations, instructions, fees and assessments as the Levy Court has heretofore put into effect, whether heretofore authorized by this Section or not, are hereby authorized, effective upon the date of the resolution adopting them.

Section 2. That Section 26 of Chapter 43 of the Revised Code of the State of Delaware, 1935, as amended, being Code Section 1172., be and the same is hereby repealed, and there is inserted in lieu thereof a new 1172. Section 26., as follows:

1172. Section 26. Payment for Use of Sewer; Penalty for Default in Payment for Use of Sewer Without Permit; Payment Upon Acquisition of Sewer System:—When the Levy Court shall have determined and fixed the amount which shall be paid by

NEW CASTLE COUNTY LEVY COURT

CONSTRUCTION OF SEWERAGE SYSTEMS

the owner of any property abutting upon the road in or adjacent to which the sewer is constructed, in accordance with the provisions of 1170. Section 24., the said amount so determined and fixed shall be a lien upon the said property from the date of the issuance of the sewer connection permit, and such lien shall have priority over any lien, encumbrance or conveyance made or suffered by the owner or owners of said property after the issuance of the said permit. The said sum, so determined and fixed, as aforesaid, shall be due and payable upon the date of the issuance of the connection permit, and if paid within thirty days thereafter, a discount of five per cent. shall be allowed on said sum, excluding therefrom the physical connection fee; and upon all payments made after thirty days, and on or before ninety days, the full sum shall be payable; and for all payments not made in full within ninety days after the date of the permit, as aforesaid, interest at the rate of six per cent. per annum shall be charged from the date of the permit, as aforesaid, until the sum is paid in full.

If, however, any such assessment or any part of such assessment, shall remain unpaid at the end of five years after the date of the permit, as aforesaid, it shall be the duty of the President of the Levy Court of New Castle County to cause to be brought proper proceedings for the enforcement of the said lien and levy the said assessment with interest thereon accrued, and all costs thereon, upon the grounds and buildings of such owner or owners abutting upon any such road in or adjacent to which said sewer is constructed, which such grounds and buildings, or any part thereof, shall be sold by the Sheriff of New Castle County, after like notice given by the said Sheriff, as is provided by law in cases of other sales of real estate by the Sheriff, and a deed from the Sheriff shall convey to the purchaser of such grounds and buildings as full and complete a title to said premises, in fee simple or otherwise, as if the same were executed by said owner thereof.

And it shall be the duty of the said Sheriff, out of the purchase money of the said premises so sold as aforesaid, to pay all costs arising from said process and sale to the parties

NEW CASTLE COUNTY LEVY COURT

CONSTRUCTION OF SEWERAGE SYSTEMS

entitled thereto respectively, and to pay the amount of such assessment with accrued interest thereon to the said Levy Court. The residue of said purchase money shall be immediately deposited in the Farmers Bank, at Wilmington, Delaware, to the credit of the owner or owners of the property so sold.

The permits granted by the Levy Court or the County Engineer acting under the authority of the Levy Court, as provided in Sections 25 and 26 of Chapter 43, Revised Code of Delaware, 1935, and statutes relative thereto, shall constitute the assessment list for the assessments hereinbefore provided for and the liens hereinbefore provided for shall attach and be effective as of the date of issuance of such permit.

It shall be the duty of the County Engineer, under the supervision and direction of the said Levy Court, to prepare a docket to be known as "The New Castle County Sewer Lien Docket" in which shall be recorded said liens. Said docket shall be prepared at the expense of the said Levy Court in substantially the same form as the judgment docket for New Castle County, and contain in the back thereof an index according to the name of the owner against which such lien has been assessed. No sewer lien shall be valid unless duly recorded as herein provided. All sewer liens duly recorded in said docket shall continue in full force and effect until said liens have been satisfied by payment, and when such liens are satisfied by payment it shall be the duty of the County Engineer, acting under the supervision and direction of the said Levy Court as aforesaid, to satisfy said record by entering thereon the date of final payment and the words "satisfied in full", for which the said County Engineer, for the use of the said Levy Court, shall receive a fee of Fifty Cents (50c) for each satisfaction so entered.

Whenever the Levy Court, pursuant to the authority granted in 1170. Section 24., shall require an already constructed sewer system, it shall establish as provided in 1170. Section 24., the sum to be paid for all future connections. Acquisition of any already constructed sewer system shall in no way affect the validity of any existing equitable easement of any owner in any

NEW CASTLE COUNTY LEVY COURT**CONSTRUCTION OF SEWERAGE SYSTEMS**

such system. Other than the "sewer use fee" and "physical connection fee" there shall be no additional sums assessed, except that additional assessments may be made when new facilities have been added to an existing system or when existing service is otherwise improved at a cost to the County. The Levy Court, in consideration of the transfer of ownership of the said sewer or sewer system and its accessories, may grant to the former owner in lieu of payment in cash such credits against future sewer assessments for connection to the said system or to any other County system, as it may deem fit. Upon payment by the said owner or his assigns of the balance due upon any such assessment after allowance for said credit the sewer lien shall be recorded in "The New Castle County Sewer Lien Docket" and upon payment of the fee of Fifty Cents (50c) the lien shall be recorded as paid in full.

Section 3. That Section 29, Chapter 43, Revised Code of Delaware, 1935, as amended, being Code Section 1175, be, and the same is hereby further amended by adding at the end of 1175. Sec. 29., the following paragraph:

The County Engineer or his representatives may go upon any land for the purpose of making surveys for sewers, sewer systems, sewage disposal plants or pumping plants or for rights-of-way or other property rights required for the said sewers, sewer systems, sewage disposal plants and pumping plants. The County Engineer or his representatives may inspect, at reasonable hours, any premises, dwellings or other buildings in the vicinity of a County sewer to determine if it is connected to the County sewer, or to determine if the sewer connection has been made or is being maintained in accordance with the regulations of the Levy Court. Any refusal to permit said inspections and surveys at reasonable hours shall be a misdemeanor and subject to a fine of not less than Ten Dollars (\$10.00) for every such refusal.

Approved April 17, 1947.

CHAPTER 295

NEW CASTLE COUNTY LEVY COURT

AUTHORIZING BOND ISSUE FOR AIRPORT PURPOSES

AN ACT TO AUTHORIZE THE LEVY COURT OF NEW CASTLE COUNTY TO BORROW A SUM NOT IN EXCESS OF ONE MILLION DOLLARS (\$1,000,000.00) AND TO ISSUE BONDS THEREFOR, THE SAID SUM TO BE EXPENDED FOR THE ACQUISITION OF LAND OR INTEREST THEREON FOR AIRPORT PURPOSES AND FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF THE NEW CASTLE COUNTY AIRPORT.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The Levy Court of New Castle County is hereby authorized and empowered to borrow upon the faith and credit of said County, a sum not exceeding One Million Dollars (\$1,000,000.00) to be expended in acquiring additional land and property for airport purposes and for construction at, maintenance of, and the operation of New Castle County Airport, and for the purpose of securing the payment of such sum to issue bonds in such denominations and bearing such rate of interest not exceeding three per centum (3%) per annum and in such form as the Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year after the date of issuance thereof.

Section 2. The Levy Court of New Castle County shall decide upon and determine the form and time or times of maturity of said bonds provided that no bond shall be issued for a term exceeding twenty-five (25) years. Said bonds may or may not at the option of the Levy Court be made redeemable at such time or times before maturity, at such price or prices and under such terms and conditions as may be fixed by the Levy Court prior to the issuance of the bonds.

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and

NEW CASTLE COUNTY LEVY COURT

AUTHORIZING BOND ISSUE FOR AIRPORT PURPOSES

the Clerk of the Peace of New Castle County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

Section 4. Said bonds or any part thereof may be sold when and as the Levy Court shall by resolution determine and until sold shall remain in the custody of the County Treasurer. Whenever in the judgment of the Levy Court it shall be deemed advisable that any part or all of said bonds shall be sold, said Levy Court may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of the Levy Court for effecting the sale or negotiation of said bonds.

Section 5. Said bonds, principal and interest shall be payable at the Farmers Bank of the State of Delaware, at Wilmington, Delaware, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the Farmers' Bank when and as the same shall become due, and pay said bonds when and as they mature in accordance with the foregoing. The said Levy Court in fixing the rate of taxation shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest upon the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of this Act.

NEW CASTLE COUNTY LEVY COURT
AUTHORIZING BOND ISSUE FOR AIRPORT PURPOSES

Section 6. All of said bonds shall be dated and shall be numbered consecutively. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer in the Farmers' Bank of the State of Delaware, at Wilmington, Delaware, to the credit of the Levy Court of New Castle County in a separate account and payments thereof shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this Section provided, shall be used for any other purpose than those hereinbefore stated; and provided further that the purchasers or holders of said bonds shall not be bound to see to or to be affected by the application of said money realized from the sale of said bonds. Said bonds shall contain such provisions, not inconsistent with the requirements of this Act, as the Levy Court may deem expedient. Said bonds shall be exempt from all State, County and Municipal taxation.

Approved April 17, 1947.

CHAPTER 296

NEW CASTLE COUNTY LEVY COURT

AUTHORIZING BORROWING OF MONEY

AN ACT TO AMEND CHAPTER 43 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO AUTHORIZING THE LEVY COURT OF NEW CASTLE COUNTY TO BORROW MONEY UPON THE FAITH AND CREDIT OF NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 1176. Sec. 30., Chapter 43, of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by enacting and adding a new paragraph at the end thereof to read as follows:

The debt limit set forth in Paragraph 1 hereof shall not be interpreted to include any bonds, notes or other evidences of indebtedness issued for the purpose of securing funds for use at the New Castle County Airport, the New Castle County Workhouse, or for use in financing sanitary districts or suburban improvements or county roads or bridges.

Approved April 17, 1947.

CHAPTER 297

NEW CASTLE COUNTY LEVY COURT

AUTHORIZING BORROWING MONEY FOR USE OF
NEW CASTLE COUNTY WORKHOUSE

AN ACT TO AUTHORIZE THE LEVY COURT OF NEW CASTLE COUNTY TO BORROW THE SUM OF FIFTY THOUSAND DOLLARS (\$50,000.00) IN ORDER TO PROVIDE MONEY FOR THE BOARD OF TRUSTEES OF THE NEW CASTLE COUNTY WORKHOUSE FOR THE REPAIR, OPERATION, IMPROVEMENT OF, AND CONSTRUCTION AT THE NEW CASTLE COUNTY WORKHOUSE.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the Levy Court of New Castle County be and is hereby authorized and empowered to borrow upon the faith and credit of said New Castle County as hereinafter provided, a sum not exceeding Fifty Thousand Dollars (\$50,000.00) to be paid over to the Board of Trustees of the New Castle County Workhouse for the purpose of the repair of, operation of, improvement of and construction at the said New Castle County Workhouse, and for the purpose of securing the payment of such sum to issue bonds in such denominations and bearing such rate of interest not exceeding three percentum (3%) per annum and in such form as the Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year after the date of issuance thereof.

Section 2. The Levy Court of New Castle County shall decide upon and determine the form and time or times of maturity of said bonds provided that no bond shall be issued for a term exceeding twenty-five (25) years. Said bonds may or may not at the option of the Levy Court be made redeemable at such time or times before maturity, at such price or prices and under such terms and conditions as may be fixed by the Levy Court prior to the issuance of the bonds.

NEW CASTLE COUNTY LEVY COURT
AUTHORIZING BORROWING MONEY FOR USE OF
NEW CASTLE COUNTY WORKHOUSE

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of New Castle County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

Section 4. Said bonds or any part thereof may be sold when and as the Levy Court shall by resolution determine and until sold shall remain in the custody of the County Treasurer. Whenever in the judgment of the Levy Court it shall be deemed advisable that any part or all of said bonds shall be sold, said Levy Court may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of the Levy Court for effecting the sale or negotiation of said bonds.

Section 5. Said bonds, principal and interest shall be payable at the Farmers Bank of the State of Delaware, at Wilmington, Delaware, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the Farmers' Bank when and as the same shall become due, and pay said bonds when and as they mature in accordance with the foregoing. The said Levy Court in fixing the rate of taxation shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest upon the unpaid bonds as before provided, which shall, when collected and paid to the County

NEW CASTLE COUNTY LEVY COURT
AUTHORIZING BORROWING MONEY FOR USE OF
NEW CASTLE COUNTY WORKHOUSE

Treasurer be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of this Act.

Section 6. All of said bonds shall be dated and shall be numbered serially. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer in the Farmers' Bank of the State of Delaware, at Wilmington, Delaware, to the credit of the Levy Court of New Castle County in a separate account and payments thereof shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this Section provided, shall be used for any other purpose than those hereinbefore stated; and provided further that the purchasers or holders of said bonds shall not be bound to see to or to be affected by the application of said money realized from the sale of said bonds. Said bonds shall contain such provisions, not inconsistent with the requirements of this Act, as the Levy Court may deem expedient. Said bonds shall be exempt from all State, County and Municipal taxation.

Section 7. The Board of Trustees of the New Castle County Workhouse shall on or before the Thirtieth day of June in each year, pay to the said Levy Court the full amount expended by said Levy Court during the preceding year as interest on and for the redemption of any of said bonds issued under the provisions of this Act and for the purpose of paying the said principal and interest the said Board of Trustees is directed to create out of the net earnings of the New Castle County Workhouse and out of the annual appropriation to the New Castle County Workhouse, a Sinking Fund which is to be used expressly for such purpose and no other.

Approved April 17, 1947.

CHAPTER 298

INCREASING SALARIES OF EMPLOYEES OF
NEW CASTLE COUNTY**AN ACT TO INCREASE THE SALARIES AND WAGES OF
ALL ELECTIVE AND APPOINTIVE EMPLOYEES OF
NEW CASTLE COUNTY WHO RECEIVE THEIR CHECKS
OR PAY FROM THE NEW CASTLE COUNTY LEVY
COURT.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the salaries and wages of all employees of New Castle County, both elective and appointive, who receive their checks or pay directly or indirectly from the New Castle County Levy Court, be and the same are hereby further increased in the amount of Two Hundred Dollars (\$200.00) per annum per employee; provided, however, that this increase shall not apply to any such employee who is at present paid Five Thousand Dollars (\$5,000.00) or more per annum.

Section 2. In the event that the temporary increases in salaries provided by Chapter 109, Volume 45, Laws of Delaware, shall cease prior to July 1, 1949, due to the termination of the war, then and in that event the salaries and wages of all employees of New Castle County who receive their checks or pay directly or indirectly from the New Castle County Levy Court, excepting elected officials, be and the same are hereby increased to the extent of ten per centum of the amount or sum of monies such employees shall be receiving at the date of expiration of the increases provided for under Chapter 109, Volume 45, Laws of Delaware, exclusive of the per centum increase therein provided for.

Section 3. This Act shall become effective on the first day of the month following the month in which it has been approved by the Governor or otherwise been enacted into law.

Approved April 17, 1947.

NEW CASTLE COUNTY LEVY COURT
AUTHORIZING BORROWING MONEY FOR USE OF
NEW CASTLE COUNTY WORKHOUSE

Treasurer be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of this Act.

Section 6. All of said bonds shall be dated and shall be numbered serially. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer in the Farmers' Bank of the State of Delaware, at Wilmington, Delaware, to the credit of the Levy Court of New Castle County in a separate account and payments thereof shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this Section provided, shall be used for any other purpose than those hereinbefore stated; and provided further that the purchasers or holders of said bonds shall not be bound to see to or to be affected by the application of said money realized from the sale of said bonds. Said bonds shall contain such provisions, not inconsistent with the requirements of this Act, as the Levy Court may deem expedient. Said bonds shall be exempt from all State, County and Municipal taxation.

Section 7. The Board of Trustees of the New Castle County Workhouse shall on or before the Thirtieth day of June in each year, pay to the said Levy Court the full amount expended by said Levy Court during the preceding year as interest on and for the redemption of any of said bonds issued under the provisions of this Act and for the purpose of paying the said principal and interest the said Board of Trustees is directed to create out of the net earnings of the New Castle County Workhouse and out of the annual appropriation to the New Castle County Workhouse, a Sinking Fund which is to be used expressly for such purpose and no other.

Approved April 17, 1947.

CHAPTER 298

INCREASING SALARIES OF EMPLOYEES OF
NEW CASTLE COUNTY**AN ACT TO INCREASE THE SALARIES AND WAGES OF
ALL ELECTIVE AND APPOINTIVE EMPLOYEES OF
NEW CASTLE COUNTY WHO RECEIVE THEIR CHECKS
OR PAY FROM THE NEW CASTLE COUNTY LEVY
COURT.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That the salaries and wages of all employees of New Castle County, both elective and appointive, who receive their checks or pay directly or indirectly from the New Castle County Levy Court, be and the same are hereby further increased in the amount of Two Hundred Dollars (\$200.00) per annum per employee; provided, however, that this increase shall not apply to any such employee who is at present paid Five Thousand Dollars (\$5,000.00) or more per annum.

Section 2. In the event that the temporary increases in salaries provided by Chapter 109, Volume 45, Laws of Delaware, shall cease prior to July 1, 1949, due to the termination of the war, then and in that event the salaries and wages of all employees of New Castle County who receive their checks or pay directly or indirectly from the New Castle County Levy Court, excepting elected officials, be and the same are hereby increased to the extent of ten per centum of the amount or sum of monies such employees shall be receiving at the date of expiration of the increases provided for under Chapter 109, Volume 45, Laws of Delaware, exclusive of the per centum increase therein provided for.

Section 3. This Act shall become effective on the first day of the month following the month in which it has been approved by the Governor or otherwise been enacted into law.

Approved April 17, 1947.

CHAPTER 299

NEW CASTLE COUNTY

REGISTER OF WILLS AND RECORDER OF DEEDS
TO REPORT CONVEYANCES**AN ACT TO AMEND CHAPTER 44 OF THE REVISED CODE OF THE STATE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE DUTY OF THE RECORDER OF DEEDS AND THE REGISTER OF WILLS OF NEW CASTLE COUNTY TO REPORT CONVEYANCES AND DEVISES OF REAL ESTATE.**

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 15, Chapter 44 of the Revised Code of Delaware, 1935, as amended, being Code Section 1272., be and the same is hereby further amended by striking out all of the said Section and substituting in lieu thereof a new Section, as follows:

1272. Sec. 15. **Recorder of Deeds and Register of Wills to Report Conveyances, Devises and Descent of Real Estate:**—It shall be the duty of the Recorder of Deeds to furnish to the Board of Assessment a proper description of each and every parcel of real estate in New Castle County which is conveyed by deed. In addition, the Recorder of Deeds shall furnish to the Board of Assessment the date of conveyance, the names of the Grantor and Grantee, and, if known to him, the address of the Grantee. All the said information shall be furnished to the Board of Assessment within ten days after the date on which the deed is lodged for record in the Office of the Recorder of Deeds. It shall be the duty of the Register of Wills to furnish a like return to the Board of Assessment of all property devised or descending by virtue of will or by operation of law in so far as

NEW CASTLE COUNTY**REGISTER OF WILLS AND RECORDER OF DEEDS
TO REPORT CONVEYANCES**

the records of his office shall enable him to do. The Register of Wills shall furnish such information within ten days after the filing in his office of inventory and appraisement. And it shall be the duty of the Board of Assessment to procure and keep such books and records as it may deem necessary so that the ownership and description of any particular piece of real estate in New Castle County can be readily ascertained.

Approved April 17, 1947.

CHAPTER 300

NEW CASTLE COUNTY

FEES TO BE CHARGED BY REGISTER OF WILLS

AN ACT TO AMEND CHAPTER 156 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO FEES TO BE CHARGED FOR SERVICES RENDERED BY THE REGISTER OF WILLS IN NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 156 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by repealing all of Section 12 thereof, being Code Section 5355 and substituting in lieu thereof the following:

5355. Sec. 12. Register of Wills in New Castle County:—

For filing petition for granting of letters of administration or testamentary\$.50

For granting letters of administration under seal, taking bond and making registry thereof and appointing appraisers, if the estate does not exceed \$100.00 1.25

| | |
|--|-----------------------|
| Over \$100.00 and not exceeding \$500.00 | 3.00 |
| Over \$500.00 and not exceeding \$2,000.00 | 10.00 |
| Over \$2,000.00 and not exceeding \$5,000.00 | 15.00 |
| Over \$5,000.00 and not exceeding \$10,000.00 | 20.00 |
| Over \$10,000.00 and not exceeding \$20,000.00 | 25.00 |
| Over \$20,000.00 and not exceeding \$50,000.00 | 30.00 |
| Over \$50,000.00 and not exceeding \$75,000.00 | 40.00 |
| Over \$75,000.00 and not exceeding \$100,000.00 | 45.00 |
| Over \$100,000.00 and not exceeding \$200,000.00 | 50.00 |
| \$200,000.00 and over..... | \$75.00 for the first |
| \$200,000.00 and \$10.00 for each additional \$100,- | |
| 000.00 or part thereof in excess of \$200,000.00. | |

Taking and registering probate of will 2.00

NEW CASTLE COUNTY

FEES TO BE CHARGED BY REGISTER OF WILLS

| | |
|---|-------|
| For granting letters testamentary under seal, same as for letters of administration. | |
| Copy of will annexed to letters testamentary, one and one-half cents per line of eight words. | |
| Entering renunciation | .25 |
| Making and registering order for advertising letters of administration or testamentary | 1.00 |
| Hand Bills | 1.00 |
| Filing inventory, and making registry of such filing and of appraised value of goods and chattels therein... | 1.00 |
| Filing list of debts | .25 |
| Taking affidavit | .25 |
| Filing, adjusting and settling account, certifying such settlement, if the sum of debts and credits inclusive of interest calculated shall not exceed \$100.00.... | 1.00 |
| Over \$100.00 and not exceeding \$500.00 | 3.00 |
| Over \$500.00 and not exceeding \$1,000.00 | 5.00 |
| Over \$1,000.00 and not exceeding \$5,000.00 | 10.00 |
| Over \$5,000.00 and not exceeding \$10,000.00 | 16.00 |
| Over \$10,000.00 and not exceeding \$15,000.00 | 20.00 |
| Over \$15,000.00 and not exceeding \$20,000.00 | 24.00 |
| Over \$20,000.00 and not exceeding \$30,000.00 | 30.00 |
| Over \$30,000.00 and not exceeding \$40,000.00 | 35.00 |
| Over \$40,000.00 one-fourth of one per cent, not exceeding in any case, however, the sum of \$20,000.00. | |
| For copy of account fifty cents per page, provided that each page of the account as stated shall constitute a page. | |
| For recording and indexing, direct and indirect, accounts and settlements, where the total estate does not exceed \$100.00 | |
| not exceed \$100.00 | 1.00 |
| Over \$100.00 and not exceeding \$500.00 | 2.00 |
| Over \$500.00 and not exceeding \$1,000.00 | 3.00 |
| And for every additional \$500.00 or fractional part thereof, in excess of \$1,000.00 twenty-five cents, not exceeding, however, in any case the sum of \$1,500.00. | |
| Entering caveat | .50 |

NEW CASTLE COUNTY

FEES TO BE CHARGED BY REGISTER OF WILLS

| | |
|--|------|
| Issuing citation | .50 |
| Issuing subpoena to give evidence, all witnesses named before the issuing of the subpoena to be named therein | .50 |
| Issuing an attachment | 1.00 |
| Taking depositions at large upon the litigation of a cause, two cents per line, and twenty-five cents additional for each deposition. | |
| Entering interlocutory order upon the litigation of a cause | .50 |
| Entering sentence or decree upon the actual litigation of a cause | 1.00 |
| Filing any petition, exception or other paper | .50 |
| Fee for sitting in trial of cause, per day | 5.00 |
| For recording release, acquittance or receipt | 1.00 |
| And for each additional acknowledgment or certificate | .25 |
| Fee for acknowledging an acquittance, or any paper necessary to have acknowledgment thereto | .50 |
| For recording will and probate, or any other writing proper to be recorded, and not otherwise provided for, one and one-half cents per line of eight words. | |
| Certifying an extract, two cents per line of eight words. | |
| Affixing seal of office to any writing not hereinbefore mentioned, and for which no other fee is allowed..... | .50 |
| Making search | .25 |
| Copy for exemplification of a record under seal not before provided for, one and one-half cents per line of eight words. | |
| In recording any will or paper or in giving any copy of exemplification of any paper, account or record which does not make one full page of the record the same shall be considered as a full page. | |

Section 2. This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or otherwise enacted into law.

Approved April 17, 1947.

CHAPTER 301

PENSION BENEFITS FOR EMPLOYEES OF
NEW CASTLE COUNTY

AN ACT PROVIDING FOR THE PAYMENT OF PENSION BENEFITS TO CERTAIN EMPLOYEES OF THE COUNTY OF NEW CASTLE, FIXING AGES OF RETIREMENT, ESTABLISHING BENEFITS PAYABLE AND THE SOURCE OF PAYMENT THEREOF, PROVIDING FOR APPLICATIONS FOR PENSIONS AND THE PROCEDURE TO BE FOLLOWED WITH RESPECT THERETO, PROVIDING THAT PENSION BENEFITS SHALL BE FREE OF ATTACHMENT AND LIABILITY FOR STATE AND LOCAL INCOME TAXES AND NON-ASSIGNABLE, AND ALSO PROVIDING FOR THE REDUCTION OF BENEFITS UNDER CERTAIN CONDITIONS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. This Act shall be known as the "NEW CASTLE COUNTY EMPLOYEES' RETIREMENT ACT".

Section 2. Every covered employee of the County of New Castle within the meaning of this Act, now or hereafter employed, may be retired after such employee shall have served in covered employment for thirty-five years, or on or after attaining the age of sixty years in the case of a female employee, or the age of sixty-five years in the case of a male employee, and shall after retirement during the remainder of his or her life receive the pension fixed by this Act, subject to such qualifications and reservations as are herein contained; provided that prior to July 1, 1948, any covered employee may continue active work at his option, irrespective of his age, provided he continues mentally and physically fit to properly discharge his duties, but on and after said date a covered employee may continue active work at the option of the Department or agency by which he or she is employed up to the age of sixty-five years for female employees or seventy years for male employees, at which time retirement shall be mandatory for covered employees. Nothing in this Act contained shall be construed to make man-

PENSION BENEFITS FOR EMPLOYEES OF NEW CASTLE COUNTY

datory the retirement of any employee who is not in "covered employment" as such term is hereinafter defined, except as hereinafter specifically authorized to the contrary.

Section 3. Covered Employee Defined:—An employee shall be considered in "covered employment" within the meaning of this Act while the employee receives a regular salary or wages wholly or in part directly or indirectly from the Treasurer of the City of Wilmington or any department or agency thereof except the Board of Public Education in Wilmington, or from the County Treasurer of New Castle County; provided, however, that an employee shall not be considered in covered employment if he is a part-time or seasonable employee who is not regularly employed for more than 120 working day in any one calendar year, or if his only employment is as a member of the following boards and commissions: Board of Directors of the Street and Sewer Department, Board of Harbor Commissioners, Board of Health, Board of Park Commissioners, Board of Public Utility Commissioners, Board of Water Commissioners, Department of Public Safety, Public Building Commission, New Castle County Bureau of Registration, New Castle County Department of Elections, Sinking Fund Commissioners, Zoning Commission.

Section 4. An employee who shall be in covered employment on the date of retirement and who shall have served in covered employment for at least fifteen years during the period that ends on the date of retirement, and who has served in covered employment for at least five years immediately preceding the date of retirement, and whose service includes no interruption from continuous covered employment, except allowable interruptions aggregating not more than five years, shall be considered eligible for retirement benefits within the meaning of this Act, except as otherwise provided. Allowable interruptions from continuous covered employment shall be interruptions arising from (a) leaves of absence granted to employees; or (b) for entering the Armed Services of the United States of America in time of war; or (c) involuntary severance of employment not due to any fault or neglect on the part of such employee; or (d) voluntary severance of employment for a period not to exceed

PENSION BENEFITS FOR EMPLOYEES OF NEW CASTLE COUNTY

one year; but the employee shall not be considered in covered employment during any period of such interruption. The usual vacation allowed any employee of any department or agency shall not be considered an interruption from continuous employment.

Section 5. Pension Benefits:—Any pension payable under this Act shall be subject to the limitation that the monthly pension payment shall not exceed One Hundred and Fifty Dollars (\$150.00) nor be less than Fifty Dollars (\$50.00). The monthly pension payment shall be one-seventieth of the monthly retiring base pay multiplied by the number of years (a fractional period of six months or more shall be counted as one year and less than six months shall not be counted) which the employee shall have served in covered employment during the period that ends on the date of retirement and includes no interruptions from continuous covered employment except allowable interruptions aggregating not more than five years.

In the case of an employee who shall have been continuously in covered employment during the sixty consecutive months ending on the date of retirement, the "monthly retiring base pay" shall be the regular pay for covered employment paid to the employee by the City of Wilmington, or by the Levy Court of New Castle County, during such sixty months (excluding any pay received for over-time or special work), divided by sixty.

Section 6. Disability Pension:—An employee who shall become disabled while in covered employment and after having served in covered employment for at least twenty-five years during the period that ends on the inception of such disability and that includes no interruptions from continuous covered employment, except allowable interruptions, aggregating not more than five years, so as to be prevented by such disability from performing his or her active duties, may be retired on a disability pension. Such disabled employee shall be kept on the active payroll during the remainder of the calendar month in which such disability shall begin and for the next ensuing three months. At the end of such third calendar month, such disabled

**PENSION BENEFITS FOR EMPLOYEES OF
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employee shall be retired and shall receive a pension calculated in accordance with Section 5 hereof and payable during the subsequent uninterrupted continuance of such disability until the date when such disabled employee would otherwise become eligible for retirement on pension in accordance with Section 2 hereof; provided, however, that in the event the retired employee while so disabled shall engage in any gainful occupation or business, then such disability pension shall be reduced by the excess, if any, of the compensation or profit earned from such occupation or business over one-half of the salary or wages last received by such employee for active service in covered employment. If such disability shall continue until the date when such disabled employee would otherwise become eligible for retirement on pension in accordance with Section 2 hereof, then the disability pension shall cease but such disabled employee shall simultaneously enter upon the pension provided by Section 5 hereof.

The provisions relating to payment of disability pension as provided in the foregoing Section shall not apply if the disabled employee receives compensation equal to or in excess of the benefits provided by this Act pursuant to the provisions of the Delaware Workmen's Compensation Law. If the amount of compensation received pursuant to said Delaware Workmen's Compensation Law by the disabled employee is less than the amount he would receive under the provisions of the foregoing Section then an amount equal to the difference shall be paid to said employee as disability pension.

Decision as to whether such disability exists or continues shall be by majority vote of the Arbitration Commission hereinafter created. The Arbitration Commission shall, at least once a year or oftener, at its discretion, while the disabled employee is receiving disability pension, require such disabled employee to furnish satisfactory proof of the continuance of such disability. Whenever, in the opinion of the Arbitration Commission, it shall appear that such employee has recovered to the extent of being able to perform his or her active duties, the Arbitration Commission shall so notify the employee and shall also notify the Department or agency wherein such employee was employed;

PENSION BENEFITS FOR EMPLOYEES OF NEW CASTLE COUNTY

whereupon the said employee shall be required to resume active service and no further pension payments shall be made under the provisions of this Section for such disability.

The period for which the disability pension shall have been paid shall be considered an allowable interruption which is allowable in addition to the allowable interruptions aggregating not over five years, in determining subsequent eligibility for retirement on pension under Section 2 hereof.

Any person or persons now living who have at any time been employed by the agencies providing for "covered employment" as defined in Section 2 of this Act and who is or are not now so employed and who has or have been so employed prior to this Act, for a period of fifteen (15) years or more prior to the passage of this Act, and has or have been retired without pay or permanently disabled while so employed shall be entitled to receive the pension benefits of this Act to the same extent as were he or they now so employed.

Section 7. Each department or agency of New Castle County that shall come within the provisions of this Act shall, not less than thirty days prior to the date when the County tax rate shall be fixed by the Levy Court of New Castle County in each year, submit a salary or wage payroll record to include employees eligible for pension and which shall contain the names, addresses and amounts for those employees who are carried on the pension rolls, plus the names and addresses and amounts to be paid employees of such department or agency who might become eligible for retirement during the following fiscal year, and at the time of the establishment of the tax rate, the Levy Court of New Castle County shall include, in addition to an amount for active employees' salaries or wages, the amounts for those employees who are carried on the pension roll, plus the amount for those employees who might become eligible for retirement during the period covered in such budget. The payment of the pension benefits of this Act shall be made at the same time and by the same proceedings as salaries and wages are paid for active employees except as herein otherwise provided.

PENSION BENEFITS FOR EMPLOYEES OF NEW CASTLE COUNTY

The name and address of each employee receiving benefits under the provisions of this Act, together with the amount of pension to be received at each payment by each such employee, shall be filed in the office of the County Treasurer.

Section 8. A covered employee may request retirement with pension in accordance with this Act by making a written request therefor to the President or Chairman or other principal person of the department or agency by which he or she is employed, at least thirty days prior to the date of retirement; or the President or Chairman or other principal person of the department or agency may, with the approval of a majority of the governing board of such department or agency, and in accordance with this Act, retire a covered employee of his or their department or agency by giving written notice to the employee at least thirty days prior to the date of retirement. In either event, the President or Chairman or other principal person of the department or agency shall prepare a statement in such form as may be prescribed by the County Treasurer to enable him to comply with the provisions of this Act; the President, Chairman or other principal person of such department or agency shall, at least fifteen days prior to the date of retirement, give a certified copy of such statement to the County Treasurer; a copy of such statement shall also be given to the employee at least fifteen days prior to the date of retirement.

All records of whatever kind or character received or to be received by the County Treasurer on pension cases shall be kept by him as all other official records of his office are preserved.

Section 9. For the purpose of settling any controversy that may arise out of the administration of this Act, there is hereby created an Arbitration Commission consisting of three persons, not more than two of whom shall be of the same political party, to be appointed by the Levy Court of New Castle County, for a term of four years. The said Commission shall adjudicate such controversy at a time and place to be fixed by said Commission, after due notice in writing has been given to

all interested parties at least ten days prior to the date of hearing; the Commission shall have power to administer oaths and to do such acts and make such rules in the premises as such Commission may deem necessary to carry into effect the provisions of this Act. The written concurring decision of any two members of the Commission shall be final. The members of the Commission shall serve without compensation, but the Levy Court of New Castle County shall provide for the payment of the necessary expenses of the Commission.

RESOLUTION

WHEREAS, The retirement of..... (Name)
.....an employee of New Castle
..... (Address)
County, State of Delaware, from.....
..... (his or her)
duties as..... in the.....
..... (Title of Duty) (Name of Dept. or Agency)
presents a suitable opportunity for expressing the esteem in
which we hold..... as a faithful
..... (Name)
and satisfactory public servant; therefore, BE IT RESOLVED,
That the County of New Castle express its warmest appreciation
and thanks to.....
..... (Name)
for the able and loyal manner in which.....
..... (he or she)
has uniformly performed..... public duties
..... (his or her)

**PENSION BENEFITS FOR EMPLOYEES OF
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and BE IT FURTHER RESOLVED, That this Resolution be
.....evidence of a right to the pension provided

(his or her)

vided by the "NEW CASTLE COUNTY PENSION ACT".

(Signed).....

President of the Levy Court of
New Castle County, State of
Delaware.

.....
Member of the Levy Court of
New Castle County, State of
Delaware.

.....
Member of the Levy Court of
New Castle County, State of
Delaware.

(SEAL)

Section 11. If any Federal or other law now or hereafter enacted shall provide for annuities, pension, disability, allowances, social security, or other benefits, on account of or arising from the same service for which a pension is granted under the provisions of this Act, then the benefits herein provided shall be reduced to the extent of any such benefits so granted, or if such benefits shall be equal to or greater than the benefits herein provided, no payment shall be made under this Act.

Section 12. No person, while receiving a pension under this Act, shall be employed by the City of Wilmington, or by the Levy Court of New Castle County, or any department or agency of the City of Wilmington, or the Levy Court of New Castle County, in any capacity unless elected by popular vote at an election; and during such elected term, he or she shall not be entitled to a pension unless he or she serves such term of office without pay.

Section 13. The pension benefits herein mentioned shall not be subject to attachment or execution, nor to any State or local income tax, and shall be payable only to the beneficiary designated, and shall not be subject to assignment or transfer.

**PENSION BENEFITS FOR EMPLOYEES OF
NEW CASTLE COUNTY**

Section 14. No employee shall be considered eligible for retirement benefits under the provisions of this Act who is covered or potentially covered by any other State, County or municipal pension plan or statute now or hereafter in effect, except as otherwise provided.

Section 15. The monthly retirement and disability benefits for such employees as shall regularly receive part of their compensation from the City of Wilmington and New Castle County, or in alternate periods shall receive regular compensation from the City of Wilmington or New Castle County, shall be one-half of the monthly retiring base pay, divided by seventy, multiplied by the number of years which such employee shall have served in "covered employment"; in case the total combined monthly retirement or disability benefits calculated, under the provisions of this Act and the Act for the retirement of employees of the City of Wilmington, be less than Fifty Dollars (\$50.00) or more than One Hundred and Fifty Dollars (\$150.00) then in lieu of such payment as herein calculated, the said employee shall receive under this Act not less than Twenty-five Dollars (\$25.00) and not more than Seventy-five Dollars (\$75.00) as a monthly retirement or disability benefit.

The provisions of this Section shall be deemed to be an exception to Section 14 insofar as it applies to receiving retirement and disability benefits from the City of Wilmington by employees who are alternately or jointly employed by the City of Wilmington and New Castle County, in "covered employment", and who receive regular salary or wages alternately or jointly from the Treasurer of the City of Wilmington and/or the Treasurer of New Castle County, and such employees shall receive retirement and disability benefits in accordance with the provisions of this Section.

Section 16. On and after the effective date of this Act only those new employees who enter the employment of the County of New Castle or City of Wilmington under the age of forty-five years shall participate in the pension benefits herein provided;

**PENSION BENEFITS FOR EMPLOYEES OF
NEW CASTLE COUNTY**

provided, however, the foregoing shall not apply to the employment of persons who are absent from covered employment because of any allowable interruptions from covered employment aggregating not over five years.

Section 17. Any other provision of this Act or any other act to the contrary notwithstanding, no individual who has attained the age of seventy years or who shall within five years of the effective date of this Act attain the age of seventy years shall be required to retire before the first day of July, A. D. 1952.

Section 18. This Act shall become effective on the first day of July, A. D. 1947.

Approved April 17, 1947.

CHAPTER 302

NEW CASTLE COUNTY

FEES TO BE CHARGED BY SHERIFF

AN ACT TO AMEND CHAPTER 156 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO FEES TO BE CHARGED FOR SERVICES RENDERED BY THE SHERIFF IN NEW CASTLE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Section 3, Chapter 156, of the Revised Code of the State of Delaware, as amended, being Code Section 5346, be amended by striking out as much of said Section as reads:

"Serving and returning subpoena to give evidence or to bring papers for each person summoned both in civil or criminal actions for the first \$.50"

and substituting in lieu thereof the following:

"Serving and returning subpoena to give evidence or to bring papers for each person summoned both in civil or criminal actions for the first \$1.50"

Section 2. That Section 3, Chapter 156, of the Revised Code of the State of Delaware, as amended, being Code Section 5346., be amended by striking out as much of said Section as reads:

"Levying an execution on goods and chattels, and making inventory, causing appraisement, and making return if the sum due upon the execution shall not exceed \$400.00 \$3.00
If the sum due shall exceed \$400.00 \$4.00
On all sums over \$500.00 5.00"

NEW CASTLE COUNTY

FEES TO BE CHARGED BY SHERIFF

and substituting in lieu thereof the following:

"Levyng an execution on goods and chattels, and
making inventory, causing appraisement, and mak-
ing return \$6.00"

Section 2. This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or otherwise enacted into law.

Approved April 17, 1947.

CHAPTER 303

NEW CASTLE COUNTY

BOARD OF ASSESSMENT

AN ACT TO AMEND CHAPTER 44 OF THE REVISED CODE OF DELAWARE 1935, AS AMENDED, RELATING TO NEW CASTLE COUNTY ASSESSMENTS AND APPEALS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the first paragraph of 1267. Sec. 10 Article 2 Chapter 44 of the Revised Code of Delaware, as amended, be and the same is hereby further amended by striking out all of paragraph 1 of said Section and enacting and substituting in lieu thereof a new paragraph providing as follows:

The said Board of Assessment or its representatives as otherwise herein provided, shall sit in its office in the Public Building, Wilmington, Delaware, during each secular day of the month of March of each year to hear appeals and make additions, alterations or corrections to said assessment. Notice thereof, which shall contain a notice that the assessment rolls for the year have been completed and are open to public inspection at the office of the Board, shall be given by advertisement published at least once each week for two (2) weeks in at least four (4) newspapers published in said County one of which newspaper shall be published in the City of Wilmington, and/or by such other means as will, in the discretion of the said Board of Assessment best bring notice of the same to the parties or taxables interested.

Approved April 17, 1947.

CHAPTER 304
NEW CASTLE COUNTY
BUILDING INSPECTOR

AN ACT TO AMEND CHAPTER 100 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "GENERAL PROVISIONS RESPECTING THE POLICE", BY PROVIDING THAT THE EXAMINATION AND INSPECTION OF FIRE ESCAPES REQUIRED BY THE PROVISIONS OF 3930. SEC. 35. OF ARTICLE 8 OF SAID CHAPTER MAY BE MADE IN NEW CASTLE COUNTY BY THE COUNTY BUILDING INSPECTOR.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 100 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby amended by adding at the end of 3931. Sec. 36. thereof a new paragraph as follows:

Such inspections as are required to be made under the provisions of 3930. Sec. 35. of Chapter 100, Revised Code of Delaware, 1935, as amended, may be made in New Castle County by the County Building Inspector of such county. Such official shall have all of the authority given to any other official under the provisions of Article 8 of said Chapter 100. Upon making an inspection as provided in said Article 8, the County Building Inspector shall give a certificate as provided in 3931. Sec. 36. of said Chapter 100 stating the fact of his examination and his approval, which certificate shall be good for two years, after which time another examination shall be had and a like certificate given.

Approved April 17, 1947.

CHAPTER 305

LAUREL

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT TO REINCORPORATE THE TOWN OF LAUREL", BEING CHAPTER 164, VOLUME 29, LAWS OF DELAWARE, BY AUTHORIZING THE MAYOR AND COUNCIL OF LAUREL TO BORROW MONEY FOR MUNICIPAL PURPOSES, AND TO ISSUE NEGOTIABLE BONDS THEREFOR; PROVIDING THE LIMITATIONS OF INDEBTEDNESS BY SUCH BOND ISSUE, AND THE MANNER IN WHICH THE SAID MAYOR AND COUNCIL OF LAUREL SHALL PROCEED TO BORROW MONEY AND ISSUE SAID BONDS; AND PROVIDING FOR THE BORROWING OF MONEY IN THE EVENT OF CALAMITY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House thereof concurring therein):

Section 1. That the Act entitled, "An Act to reincorporate the Town of Laurel", being Chapter 164, Volume 29, Laws of Delaware, be and the same is hereby amended by striking out all of the first paragraph of Section 6, subsection 24 and by inserting in lieu thereof the following:

(24) To borrow money for municipal purposes, and to issue negotiable bonds therefor, which bonds shall be exempted from taxation under any law of this State. But said corporation shall not at any time in any manner, or for any purpose, except as hereinbefore provided, become indebted or issue bonds to an amount that will in the aggregate, including all indebtedness of every kind, and all bonds issued, exceed fifteen per centum of the assessed value of the real estate within said Town, such value to be ascertained and determined by the last assessment preceding the creation of such indebtedness and the issuing of such bonds; provided, that no ordinance authorizing the borrowing of money and the issuing of bonds shall be passed, unless it shall receive the affirmative four-fifths vote of all the members of the Council, and be duly approved by the Mayor; and further

LAUREL

provided, that no ordinance passed as aforesaid shall be operative, and no money shall be borrowed or bonds issued thereunder, unless said ordinance shall be approved by a majority of all the votes of freeholders cast at the Town election, subsequent to the passing of said ordinance, or at a special election held pursuant to an ordinance of the Council providing for such election, and at which the said ordinance authorizing the borrowing of money and the issuing of bonds, shall be submitted to the qualified freehold voters of said Town; and further provided that, if through calamity or casualty, any public building or public works, or any part thereof, shall be destroyed or injured beyond the available means or ability of the corporation at the time to replace or repair, said corporation may, under authority of an ordinance passed by the affirmative vote of two-thirds of all the members of the Council and duly approved by the Mayor, borrow, as a temporary loan, a sum to be specified in such ordinance for replacing or repairing the properties or works destroyed or injured, or making suitable substitutes therefor, which sum shall be applied to that purpose, and to no other, and shall be payable, principal and interest, in such time, times and manner, as the ordinance shall prescribe.

Approved April 17, 1947.

CHAPTER 306

INSURANCE DEPARTMENT

INCREASING SALARY OF COMMISSIONER AND AUTHORIZING
APPOINTMENT OF ASSISTANTS

AN ACT TO AMEND CHAPTER 12 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, ENTITLED, "SALARIES OF STATE OFFICERS", BY INCREASING THE SALARY OF THE STATE INSURANCE COMMISSIONER AND AUTHORIZING THE STATE INSURANCE COMMISSIONER TO APPOINT CERTAIN ASSISTANTS AND PROVIDING FOR THE SALARIES THEREOF.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That 368. Sec. 6 of Chapter 12 of the Revised Code of Delaware, 1935, as amended, be and the same is hereby further amended by striking out and repealing all of 368. Sec. 6. of said Chapter and by inserting and enacting in lieu thereof a new 368. Sec. 6. as follows:

368. Sec. 6. Insurance Commissioner; Deputy; Clerk; Contingent Expenses; Balance to Revert; Fees for Use of State:

—The Insurance Commissioner shall receive as full compensation for all the duties required of him by law, the sum of Six Thousand Dollars (\$6,000.00) per annum. The Insurance Commissioner is hereby authorized and empowered to appoint a Deputy at an annual salary of Three Thousand Dollars (\$3,000.00) to be paid in monthly installments, who shall take the oath of office and have power to act in the absence or disability of the Insurance Commissioner when so designated by that official, and may at all times counter-sign checks and drafts in the name of the Insurance Commissioner if so authorized by that official; but he shall at all times be removable by the Insurance Commissioner. Before entering upon any duties as a Deputy to the Insurance Commissioner, the Deputy so appointed shall give bond similar to the bond entered into by the Insurance Commissioner and approved by the same officials who approved the bond

INSURANCE DEPARTMENT**INCREASING SALARY OF COMMISSIONER AND AUTHORIZING
APPOINTMENT OF ASSISTANTS**

of the Insurance Commissioner, in the sum of Five Thousand Dollars (\$5,000.00). The Insurance Commissioner shall also be allowed to appoint a clerk who shall receive the sum of Fifteen Hundred Dollars (\$1500.00) per annum. He shall also be allowed the sum of Two Thousand Dollars (\$2,000.00) per annum to be used as a contingent fund for the necessary expenses incurred by him in the performance of the duties of his office, but only such part of the contingent fund may be used as is actually required for such expenses, and the unexpended part thereof shall revert to the State Treasury. All fees of every character received by him in the discharge of his office or by virtue thereof, shall be for use of the State, and he shall render an account thereof and pay over the same to the State Treasury as provided by law.

Section 3. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Approved April 17, 1947.

CHAPTER 307

APPROPRIATION

ERADICATION OF EUROPEAN CORN BORER

AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF DELAWARE TO ENABLE THE EXTENSION SERVICE THEREOF TO ASSIST IN THE CAMPAIGN TO ERADICATE THE EUROPEAN CORN BORER IN THE STATE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. There is hereby appropriated to the University of Delaware the sum of Five Hundred Dollars (\$500.00) for the fiscal year ending June 30, 1947.

Section 2. There is hereby appropriated the sum of One Thousand Dollars (\$1,000.00) to the University of Delaware for the fiscal year beginning July 1, 1947 and ending June 30, 1948, and a like sum of One Thousand Dollars (\$1,000.00) for the fiscal year beginning July 1, 1948 and ending June 30, 1949. The funds hereby appropriated shall be used by the University of Delaware through its Extension Service to assist the campaign to eradicate the European Corn Borer in the State by means of an educational campaign and/or by other means as the said Extension Service shall deem advisable and practicable. The funds hereby appropriated shall be paid out by the State Treasurer upon warrants duly approved by the proper officers of the University of Delaware.

Section 3. This bill shall be known as a supplementary appropriation act and the sums hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 17, 1947.

CHAPTER 308

APPROPRIATION

STATE HIGHWAY DEPARTMENT

COMPLETE SURVEY OF REHOBOTH BAY, INDIAN RIVER AND BAY

**AN ACT MAKING A DEFICIENCY APPROPRIATION TO
THE STATE HIGHWAY DEPARTMENT TO COMPLETE
A SURVEY OF REHOBOTH BAY, INDIAN RIVER AND
INDIAN RIVER BAY.**

WHEREAS, the State Highway Department was authorized and directed to make a survey of the waters of Rehoboth Bay, Indian River and Indian River Bay showing the areas of such bodies of water and the location and extent of all parts thereof leased for the planting of shellfish; and

WHEREAS, an appropriation was made to the said Department by an Act appearing as Chapter 212, Volume 45, Laws of Delaware, 1945, for the purpose of making such a survey; and

WHEREAS, the appropriation made was insufficient to complete the work the Department was directed to do; Now, Therefore,

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That in addition to any other monies appropriated to the State Highway Department, there is hereby appropriated as a Deficiency Appropriation to said Department the sum of One Thousand Dollars (\$1,000.00) for the purpose of defraying the cost of completing a survey of the waters aforesaid. The said sum so appropriated shall be paid out by the State Treasurer upon vouchers signed by the proper officers of the State Highway Department. Should any part of said Deficiency Appropriation remain unexpended on the thirtieth (30th) day of June, A. D. 1948, the said part so unexpended shall revert to the General Fund of the State.

APPROPRIATION

STATE HIGHWAY DEPARTMENT

COMPLETE SURVEY OF REHOBOTH BAY, INDIAN RIVER AND BAY

Section 2. This Act shall be known as a Supplementary and a Deficiency Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 17, 1947.

CHAPTER 309
APPROPRIATION
MOSQUITO CONTROL

**AN ACT TO AMEND CHAPTER 271 OF VOLUME 45, LAWS
OF DELAWARE; 1945, IN RELATION TO MOSQUITO
CONTROL.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That Chapter 271, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by adding at the end of Section 2 thereof the following sentence:

In a location not adjacent to a city or town control measures taken for the eradication of mosquitoes shall be such as not to be injurious to wild life.

Section 2. That Chapter 271, Volume 45, Laws of Delaware, 1945, be and the same is hereby amended by adding five new Sections to said Chapter following Section 2 thereof, as follows:

Section 3. **Nuisance Declared:**—Any accumulation of water in which mosquitoes are breeding, or are likely to breed, is hereby declared to be a nuisance.

Section 4. **Publication of Notice of Entry, Claims, Damages and Payments:**—Before entering upon any such lands for such purposes as outlined under Section 2, the Department shall publish at least once during the year, immediately following the approval by the Department of its plans for work during the ensuing year, in at least two newspapers in the county where work is to be performed and in which such a paper is published, a general description of the land with the names of the owners thereof as shown by the last assessment rolls, if known, if the name of the owner or owners be unknown that fact must be stated and published. Any person objecting to or who is aggrieved or who claims damages due to the execution of the work

APPROPRIATION

MOSQUITO CONTROL

of the Department, shall file a protest with the Department setting forth his grievance or claim. The Department shall thereupon and within thirty days after the filing of such protest or claim, set a day for a public hearing thereof. In all such cases the decision of the Department to the necessity of such work shall be final. Any damage claimed by any party on account of entry work of the Department upon his property shall be determined by action in court to be tried in the county; and the amount of any damage that may be awarded such party shall be paid by the Department.

Section 5. Obstructions; Interferences:—Any person who obstructs or interferes with the entry of the commission or its employees upon land or who obstructs or interferes with, molests, or damages any of the work performed by the commission shall be guilty of a misdemeanor.

Section 6. There is hereby appropriated to the State Highway Department for the purpose of aiding in carrying out control measures for the eradication of mosquitoes the sum of One Hundred and Twenty-five Thousand Dollars (\$125,000.00), which sum shall be available to said State Highway Department during the remainder of the fiscal year ending on the 30th day of June, A. D. 1947 and throughout both years of the ensuing biennium ending on the 30th day of June, A. D. 1949. Any part of said appropriation not expended for the purpose stated by the 30th day of June, A. D. 1949, shall revert to the General Fund of the State Treasury.

Section 7. This Bill shall be known as a Supplementary Appropriation Bill and the amount hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved April 18, 1947.

CHAPTER 310

NOXENTOWN LAKE

**AN ACT TO PROHIBIT THE OPERATION OF A BOAT IN
NOXENTOWN LAKE, IN NEW CASTLE COUNTY, BY
A MOTOR OF MORE THAN FIVE (5) HORSEPOWER.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. On and after the passage of this Act it shall be unlawful for any person to operate a boat in Noxentown Lake, New Castle County, propelled by a motor of more than five (5) horsepower, except when such boat is being used for the purpose of training a crew of a shell or other racing boat or is following such a shell or racing boat during a boat or crew race.

Section 2. Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Ten Dollars nor more than One Hundred Dollars or be imprisoned for not less than ten (10) days nor more than thirty (30) days, or by both such fine and imprisonment.

Approved April 18, 1947.

CHAPTER 311

GOVERNOR BACON HEALTH CENTER

**AN ACT TO CHANGE THE NAME OF FORT DU PONT TO
GOVERNOR BACON HEALTH CENTER.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That on and after the passage and approval of this Act all that lot, piece or parcel of land and premises known as Fort DuPont, situate and being in Red Lion Hundred, New Castle County and State of Delaware, more particularly bounded and described as follows, to-wit:

Beginning at a stake upon the shore of the Delaware River, at low-water mark, in the line separating lands conveyed to the United States by deeds of Clement Reeves and wife, dated September 12, 1871, and Isaac Reeves et al., dated December 8, 1904, from land of estate of Arthur Colburn, and running by said line South 48 degrees 51 minutes 12 seconds West, 1,920 feet, more or less, to a monument in said line, and still by said line 1,820.3 feet to a monument; thence North 46 degrees 43 minutes 48 seconds West 1,569.5 feet to a monument; thence South 51 degrees 42 minutes 45 seconds West 125.42 feet to a monument in middle of Port Penn Road; thence North 32 degrees 06 minutes 51 seconds West 265.62 feet to a monument in middle of Port Penn Road; thence North 38 degrees 58 minutes 54 seconds West 132 feet to a monument in middle of Port Penn Road; thence North 50 degrees 55 minutes 46 seconds East 39.59 feet to a monument; thence North 46 degrees 43 minutes 48 seconds West 194.35 feet to a monument in the easterly line of Port Penn Road; thence North 42 degrees 30 minutes 23 seconds West 240.1 feet, along easterly line of Port Penn Road, to a monument at corner of land of John Wilson and land conveyed to the United States by deed of Harry C. Clark and wife, dated July 24, 1899; thence North 37 degrees 36 minutes 49 seconds East 110.33 feet, by said land, to a monument; thence North 27 degrees 23 minutes 30 seconds West 329 feet, along land of John Wilson, Harry C. Clark, Estate of George Young, and Union A. M. E. Church, to a monument; thence South 44 degrees 01

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minute 34 seconds West 105.5 feet to a monument in the easterly line of Port Penn Road; thence North 27 degrees 23 minutes 30 seconds West 299.4 feet, along easterly line of Port Penn Road, to a corner of land of Harry C. Clark; thence North 40 degrees 31 minutes 05 seconds East 161.04 feet, by said land, to a monument; thence North 49 degrees 42 minutes 30 seconds West 85.8 feet to a monument; thence South 38 degrees 14 minutes 51 seconds West 128.04 feet to a monument in intersection of easterly line of Port Penn Road with east line of East Canal Street; thence North 10 degrees 59 minutes 05 seconds East 1,741.75 feet, along east line of East Canal Street, to a monument at corner of land of Chesapeake and Delaware Canal Company; thence South 49 degrees 28 minutes 55 seconds East 95.16 feet, by said land, to a monument; thence North 40 degrees 31 minutes 05 seconds East 58.33 feet to an old monument at walnut tree; thence North 46 degrees 10 minutes 05 seconds East 1,330 feet to a monument on river bank, and 454 feet, more or less, still by said line to low-water mark of Delaware River; and thence along the low-water line of said river, to the point of beginning, containing 321.6 acres, more or less, shall be known and designated as Governor Bacon Health Center.

Approved April 18, 1947.

CHAPTER 312

STATE BOARD OF HEALTH

AN ACT TO AMEND CHAPTER 25 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE STATE BOARD OF HEALTH.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the General Assembly concurring therein):

Section 1. That Paragraph 745, Section 2, Article 1 of Chapter 25 of the Revised Code of Delaware, 1935, as amended by Chapter 91 of Volume 43, Laws of Delaware, be and the same is hereby further amended by striking out the following sentence appearing in the first paragraph thereof immediately following the word "permits" in the thirty-third line of said Paragraph:

"Such regulations of the State Board of Health shall have the force and effect of law and shall supersede all local ordinances and regulations heretofore or hereinafter enacted or adopted which are inconsistent therewith."

and by inserting in lieu thereof the following:

"Such regulations of the State Board of Health shall have the force and effect of law and shall supersede all local ordinances and regulations heretofore or hereinafter enacted or adopted which are inconsistent therewith; provided, however, that municipalities and local public health officials shall have the power and authority, with the consent and approval of the State Board of Health, to adopt such ordinances or regulations in addition to such regulations of the State Board of Health as shall be consistent with the law and the purposes set forth in this Section."

Approved April 18, 1947.

CHAPTER 313

PROVIDING FOR EXAMINATION PRIOR TO ISSUANCE
OF MARRIAGE CERTIFICATE

AN ACT TO PROVIDE FOR A LIMITED PHYSICAL EXAMINATION, REPORT AND CERTIFICATE PRIOR TO ISSUANCE OF MARRIAGE LICENSE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. Certificate from Physician When Applying for Marriage License:—Before any person, who is or may hereafter be authorized by law to issue marriage licenses, shall issue any such license, each applicant therefor shall file with him a certificate from a duly licensed physician which certificate shall state that the applicant has been given such physical examination, including a standard serological test, as may be necessary for the discovery of syphilis, made not more than thirty days prior to the date of issuance of such license, and that, in the opinion of such physician, the person either is not infected with syphilis, or if so infected, is not in a stage of this disease which is or may become communicable to the marital partner. Applicants may be examined without charge, at a Health Center of the Delaware State Board of Health, or of the City of Wilmington or other organized community. Any person who by law is validly able to obtain a marriage license in the State of Delaware is validly able to give consent to any examination and tests required by this Act. In submitting the blood specimen to the laboratory the physician shall designate that this is a premarital test.

Section 2. Statement from Laboratory to Accompany Certificate from Physician:—The certificate shall be accompanied by a statement from the person in charge of the laboratory making the test, or from some other person authorized to make such reports, setting forth the name of the test, the date it was made, the name and address of the physician to whom the test was sent and the name and address of the person whose blood was tested, but not stating the result of the test. Except as hereinafter provided, the certificate of a physician and the statement from

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a person in charge of a laboratory or from a person authorized to make reports for the laboratory shall be on a form to be provided and distributed by the Delaware State Board of Health to laboratories in the state approved by the Delaware State Board of Health. This form is hereinafter referred to in this Act as "the certificate form."

Section 3. Certificates from States Other Than Delaware:—Certificate forms provided by other states having comparable laws will be accepted for persons who have been examined and who have received serological tests for syphilis outside of the State of Delaware; provided, such examinations and tests are performed not more than 30 days prior to the issuance of a marriage license. Certificates provided by the United States Army, Navy or United States Public Health Service will be accepted for military personnel; provided, such certificates are signed by a medical officer commissioned in the United States Army or Navy or United States Public Health Service will be accepted for military personnel; and provided, the certificates state the examinations and serological tests for syphilis were performed not more than 30 days prior to the issuance of the marriage license.

Section 4. Serological Test:—For the purpose of this Act a standard serological test shall be a test for syphilis approved by the Delaware State Board of Health, and shall be performed by the Delaware State Board of Health on request, free-of-charge. An approved laboratory shall be the laboratory of the Delaware State Board of Health, or a laboratory approved by the Delaware State Board of Health, or any other laboratory the director of which is licensed by said State Board of Health according to law. In case of question concerning the accuracy of tests prescribed in this Act, it shall be mandatory upon the Delaware State Board of Health to accept specimens for checking purposes from any district in the State.

Section 5. Laboratory Report Form:—The Delaware State Board of Health shall issue a "Laboratory Report Form" to be distributed upon application to all laboratories approved to do

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tests called for in this Act. Any laboratory performing tests called for in this Act shall prepare the report in triplicate. The original of this report shall be transmitted by the laboratory doing such test together with the certificate form to the certifying physician. The duplicate reports shall be forwarded at weekly intervals to the Delaware State Board of Health. The triplicate shall be retained by the laboratory on file for two years and shall be open during that time for inspection by any authorized representative of the Delaware State Board of Health.

Section 6. Exceptions to Requirement for Certificate:—

The judge of the Superior Court in the county in which the license is to be issued is hereby authorized and empowered, on joint application by both parties to a marriage, to waive the requirements as to medical examinations, laboratory tests, and certificates and to order the licensing authority to issue the license applied for, if all other requirements of the marriage laws have been complied with, and if the judge is satisfied by affidavit or other proof that an emergency or other sufficient cause for such action exists and that the public health and welfare will not be injuriously affected thereby. In any case, where such examinations and tests have been made and certificate or certificates have been refused because one or both of the applicants have been found to be infected with syphilis, the judge shall nevertheless be authorized and empowered on application of both parties to such marriage to order the licensing authority to issue the license, if all other requirements of the marriage laws have been complied with and if the judge is satisfied by affidavit or other proof that an emergency or other sufficient cause for such order exists and that the public health and welfare will not be injuriously affected thereby. In every such case, however, the clerk of the court shall transmit to the Delaware State Board of Health a transcript of the record and the order thereon for such follow-up in said department as is required by law or deemed necessary by said department for the protection of the public health. The order of the court shall be filed by the licensing authority in lieu of the certificate form. The court when it is deemed necessary may, to the extent authorized by law or rules

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of court, order all proceedings instituted under the provisions of this Act to be confidential and private. There shall be no fee for these court proceedings. The certificate forms and the court orders shall be filed in the office of the county clerk.

Section 7. Misrepresentations:—Any applicant for a marriage license, physician, or representative of a laboratory who shall misrepresent his identity or any of the facts called for by the certificate form prescribed by this Act; or any licensing officer who shall issue a marriage license without having received the certificate form or an order from the court, or who shall have reason to believe that any of the facts on the certificate form have been misrepresented, and shall nevertheless issue a marriage license; or any person who shall otherwise fail to comply with the provisions of this Act, shall be guilty of a misdemeanor. Certificates, laboratory statements or reports, applications and court orders, in this Act referred to and the information therein contained, shall be confidential and shall not be divulged to or open to inspection by any person other than state or local health officers or their duly authorized representatives. Any person who shall divulge such information or open to inspection such certificates, statements, reports, applications or court orders, without authority, to any person not by law entitled to the same shall be guilty of a misdemeanor.

Section 8. Appropriation:—The sum of \$6000.00 to June, 1948, \$4000.00 to June, 1949 is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be expended by the Delaware State Department of Health for printing, necessary expenses relative to checking and approval of laboratories, clerical and technical assistance involved in administration of this Act and any other expenditures necessary for carrying out the provisions and purposes of this Act. All claims against this appropriation shall be submitted for approval and audit to the Delaware State Board of Health, and shall be paid in accordance with law.

Section 9. Conflict with Other Laws:—Nothing in this Act shall impair or affect existing laws, rules, regulations or

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OF MARRIAGE CERTIFICATE**

codes made by authority of law, relative to the reporting by physicians and others of cases of syphilis discovered by them.

Section 10. Severability:—If any Section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this Act, and each and every section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 11. This Act shall become effective on the first day of the third month following its approval.

Approved April 18, 1947.

CHAPTER 314

OLD AGE WELFARE COMMISSION

PROVIDING FOR CONTINUANCE OF RELIEF FOR PERSONS
REMOVING FROM ONE COUNTY TO ANOTHER

**AN ACT IN RELATION TO PERSONS RECEIVING RELIEF
WHO MOVE FROM ONE COUNTY TO ANOTHER; PRO-
VIDING FOR CONTINUANCE OF SAME.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. That notwithstanding any law to the contrary or rule or regulations of the State Old Age Welfare Commission, from and after the passage and approval of this Act persons in the State of Delaware who have been allowed assistance by the State Old Age Welfare Commission other than regular pensions, while resident of one County of the State, shall not have such assistance discontinued by reason of removal to another County of the State.

Approved April 22, 1947.

CHAPTER 315

ELECTIONS

DIVISION OF NEW CASTLE COUNTY INTO ELECTION DISTRICTS

AN ACT TO AMEND CHAPTER 57 OF THE REVISED CODE OF DELAWARE, 1935, ENTITLED, "DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY", TO PROVIDE FOR DIVIDING NEW CASTLE COUNTY INTO ELECTION DISTRICTS.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That a new Section be added to Chapter 57, of the Revised Code of Delaware, 1935, to be known as 1750. Sec. 6, as follows:

1750. Sec. 6. Division of County Into Election Districts; Number of Voters in District; Designation of Districts; Each Election District Within One Representative District:—The Department of Elections of New Castle County shall, before the first day of April, in every year in which a General Registration is held, divide New Castle County, including the City of Wilmington, into as many election districts as they may deem necessary for the convenience of the voters therein and shall establish the boundaries thereof. Each of said election districts shall be entirely within one Representative district.

On or before the first day of April, commencing with the year 1950 and biennially thereafter, the said Department of Elections may divide such election districts, and such only as, by the election last preceding such division, shall be found to contain a greater number of voters than can be conveniently voted therein. They shall designate each election district by appropriate title or distinction.

Whenever any boundary of any election district of New Castle County shall be changed as aforesaid, the Department of Elections for New Castle County shall prior to the first day of

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April in any year in which a General Election is held notify the Bureau of Registration for New Castle County in writing of any such change setting forth in such written notice the boundaries and appropriate title or distinction of each election district affected by such change or division.

Section 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistencies.

Approved April 28, 1947.

CHAPTER 316

STATE HIGHWAY DEPARTMENT

INCREASING SALARY OF CHIEF ENGINEER AND SECRETARY

AN ACT TO AMEND CHAPTER 166 OF THE REVISED CODE OF DELAWARE, 1935, AS AMENDED, RELATING TO THE STATE HIGHWAY DEPARTMENT, THE APPOINTMENT OF A CHIEF ENGINEER THEREFOR, HIS QUALIFICATIONS AND SALARY, THE APPOINTMENT OF A SECRETARY THEREFOR AND HIS SALARY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 166 of the Revised Code of Delaware, 1935, as amended by Chapter 173, Volume 42, Laws of Delaware, be and the same is hereby further amended by striking out and repealing all of 5723 Sec. 4 thereof as amended and inserting and enacting in lieu thereof a new paragraph to be known as:

5723. Sec. 4. Chief Engineer, Appointment of; Qualifications; Secretary; Bond; Salaries:—As soon after the organization as is practicable the Department, at least four members concurring, shall employ a Chief Engineer, for such time, not exceeding one year, as may be determined by the Department, who shall be a civil engineer, and at the time of his employment, not less than thirty years of age and shall have been in active practice of his profession for ten years and shall have had responsible charge of road engineering work for at least five years and shall be qualified to design as well as to direct road engineering work. Graduation from a school of engineering of recognized reputation shall be considered as equivalent to two years of active practice. The said Department, at least four members concurring, shall also employ a Secretary who shall hold office at the pleasure of the Department. The Chief Engineer and the Secretary before entering upon the duties of their offices shall give such bond, if any, as may be required by the

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said Department for the faithful performance of their respective duties in such positions, respectively, and the Chief Engineer shall take and subscribe an oath or affirmation like that required of a member of said Department. The Chief Engineer may be paid a salary not in excess of Ten Thousand Dollars a year, and the Secretary may be paid a salary not in excess of Seventy-Five Hundred Dollars (\$7500.00) a year. The members of the Department shall require no compensation for their services, but shall receive their actual expenses incurred while engaged in the affairs of the Department.

Approved May 1, 1947.

CHAPTER 317

INCREASE IN ALLOWANCE FOR MILEAGE

AN ACT TO AMEND CHAPTER 74, VOLUME 42, LAWS OF DELAWARE, AS AMENDED, BY PROVIDING FOR AN INCREASE IN THE ALLOWANCE PER MILE FOR TRAVEL.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 74, Volume 42, Laws of Delaware, as amended, be and it is hereby further amended by striking out and repealing all of Paragraph 2, Section 1 thereof and enacting and inserting in lieu thereof a new paragraph, to read as follows:

For the first two hundred miles travel during any calendar month the rate shall be Seven Cents (\$0.07) per mile of distance actually travelled; and in excess of two hundred miles the rate shall be Six Cents (\$0.06) per mile.

Approved May 1, 1947.

CHAPTER 318

BETHANY BEACH

AN ACT TO RE-INCORPORATE THE TOWN OF BETHANY BEACH.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the Legislature concurring therein):

Section I. The inhabitants of the Town of Bethany Beach, in the County of Sussex, State of Delaware, are hereby constituted a municipal corporation and body politic under the name and style of "THE COMMISSIONERS OF BETHANY BEACH".

The limits and bounds of the Commissioners of Bethany Beach are hereby established and declared to be, as follows:

BEGINNING at the Ocean on the central line of Fifth Street; thence Westerly with said line to the eastern boundary of lands of Alonso H. Evans; thence with the said easterly line of said Alonso H. Evans to the northerly line of the canal right of way owned by the Bethany Beach Improvement Company; thence with the northerly line of said canal right of way to the Westerly line of the right of way of the Free Inland Waterway connecting Assawoman Bay with the Delaware Bay; thence with the said line of said Inland Waterway to the northerly line of lands late of Hiram James; thence with said line late of Hiram James and the northern line of lands of Henry M. Evans to Muddy Neck Road; thence with the old Hall and Evans line in a straight line to the low water mark of said Ocean; thence to the place of beginning.

The Commissioners of Bethany Beach may at any time hereafter cause a survey and plot to be made of the Town of Bethany Beach and the said plot, or any supplement thereto, when so made and approved by said Commissioners of Bethany Beach, signed by the President, attested by the Secretary with the municipal corporate seal attached thereto and upon being recorded in the Office of the Recorder of Deeds of the State of

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Delaware, in and for Sussex County, shall be, or the record thereof, or a duly certified copy of said record, evidence in all Courts of law and equity of this State.

The Commissioners of Bethany Beach, at any time after five years from the effective date of this Act hereafter may change or extend the limits and bounds of the Town of Bethany Beach, provided that any territory so annexed shall be contiguous thereto. The procedure for changing and extending the limits and bounds shall be as follows:

1. The Commissioners of Bethany Beach shall by resolution propose to the electors to extend said limits and bounds or to change the same. The resolution shall set forth the proposed change or extension and the distance and directions thereof with reasonable certainty, and all other pertinent facts relating to the extension or change, and shall direct an election to be held thereon on the day of the next Town election.

2. A copy of said resolution shall be published in at least two issues of a newspaper of general circulation in the Town immediately preceding the date of said election. At the same time a notice shall likewise be published of the election to be held thereon, the qualifications for person entitled to vote, the method of voting, and the date, hour and place of said election. Similar notices shall be posted in at least five (5) public places of the Town, and in at least two public places in the territory proposed to be added to the Town.

3. The Commissioners shall cause to be prepared, printed and have available for distribution a sufficient number of ballots on the day of said election.

4. At said election, every person who is entitled to vote for commissioners shall have one vote for every dollar or fractional part of dollar of tax paid by him or her respectively during the year preceding said election, and every owner of property, whether individual, partnership or corporation, shall have one vote for every dollar or part of dollar of tax paid upon said property during the year preceding said election and the said

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vote may be cast either in person or by proxy. For the purpose of voting upon the proposed extension or change, every person, partnership or corporation residing in or owning property in the territory proposed to be added to the Town shall likewise be entitled to vote on the same basis as residents of or property owners in the Town; provided, that for the purpose of ascertaining the number of votes to be cast by owners of property in said territory, the assessment placed upon such property on the County assessment list shall be multiplied by the tax rate prevailing in the Town during the next preceding year, and such property owners shall have one vote for every dollar or part of dollar of tax thus computed.

5. The Board of Election shall count the votes for and against the proposed extension or change; and shall announce the result thereof; and shall make a certificate under their hands of the number of votes cast for and against the proposed extension, and shall deliver the certificate to the Commissioners, which said certificate shall be entered on the minutes of the Commissioners, and the original shall be filed with the papers of the Commissioners.

6. If it appear from the certificate of the Board of Election filed as aforesaid that a majority of the votes cast were in favor of the proposed extension, the territory included in the proposed extension shall be considered as lying within the Town of Bethany Beach and the limits and bounds of said Town shall thenceforth be considered as changed and altered in accordance with the plan adopted as aforesaid, and such extension or change shall be considered to be effective from and after the date of said election, and the Commissioners shall thereupon cause a survey and a plot to be made of said Town, showing the new limits and bounds, and shall cause suitable markers to be located and settled along said new limits and at the corners thereof.

7. If it appear from the certificate of the Board of Election filed as aforesaid that a majority of the votes cast were against the proposed election, another election upon such question may be held at the next or any succeeding general Town election, but such election shall not be held except on the day herein provided for general Town elections.

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GENERAL POWERS OF COMMISSIONERS

Section II. A. The Commissioners of Bethany Beach now in office, their successors hereinafter chosen under the provisions of this Charter, within the limits and boundaries referred to in Section I of this Charter, or within the limits and boundaries hereinafter established, shall be, and they are hereby, created a body politic and corporate in fact and in law and equity, by the name, style and title of "COMMISSIONERS OF BETHANY BEACH", hereinafter called the Commissioners, and under that name shall have perpetual succession; and may have and use a corporate seal, which may be altered, changed or renewed at pleasure; may sue and be sued, plead and be impleaded in any and all Courts of Law or equity in the State of Delaware and elsewhere by said corporate name; and, for the purpose of this Charter, hereinafter to be set forth, to take, hold, receive and enjoy, any lands, tenements and hereditaments, in fee simple or for a lesser state, interest or otherwise, and also goods, chattels, rights and credits, and may sell, lease, hold, manage and control any such property or properties in such manner as the Commissioners may deem expedient and proper for the purposes hereinafter to be expressed; may appoint such officers and agents as shall be deemed necessary or convenient for the management of the affairs of the Town and may fix and determine the compensation of such officers and agents.

B. The Commissioners shall have all other powers and functions requisite to and appropriate for the government of the Town, its peace and order, its sanitation, beauty, health, safety, convenience, comfort and well being of its population, and the protection and preservation of public and private property; and all actions, suits and proceedings shall be brought in the name of "The Commissioners of Bethany Beach".

C. The enumeration of particular powers by this Charter shall not be held to be exclusive, or to restrict in any manner the general powers conferred herein, but, in addition to the powers so enumerated herein, implied or appropriate to the exercise thereof, it is intended that the "The Commissioners of Bethany Beach" shall have, and may exercise, all powers which under

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the Constitution of the State of Delaware it would be legally competent for this Charter specifically to enumerate. All powers of the Commissioners, whether express or implied, shall be exercised as prescribed by this Charter, or, if not so prescribed, by ordinance or resolution of the Commissioners.

GOVERNMENT

Section III. The government of the Town and the exercise of all powers conferred by this Charter, except as otherwise provided herein, shall be vested in the Commissioners consisting of seven members, of whom one shall be designated as President. The President shall be entitled to an annual salary of Fifty (\$50.00) Dollars; the other Commissioners shall each be entitled to an annual salary of Twenty-five (\$25.00) Dollars.

ELECTIONS

Section IV. The annual municipal election shall be held on the first Tuesday after the first Saturday in August on each and every year between the hours of 2:00 P. M. and 4:00 P. M., at such place within the limits of the Town as shall be designated by the Commissioners, at which election the voters of the Town qualified as herein provided, shall elect Commissioners as follows: At the said election to be held on the first Tuesday after the first Saturday in August, A. D. 1947, four Commissioners shall be elected to serve for the term of two (2) years from the time of taking office, and until their successors shall be elected, and three (3) Commissioners shall be elected in the year 1948, to serve for the term of two (2) years, or until their successors shall be elected and qualified, and at each subsequent annual election the successors of the Commissioners whose term shall have expired shall be chosen to serve for the term of two (2) years and until their successors shall be elected and qualified.

NOMINATION TO ELECTIVE OFFICES

Section V. At least ten days before the day of the election as hereinafter fixed, nominations shall be filed with the Secretary of the Commissioners. Said nominations shall be in writing, signed by the nominees or by five other citizens of the Town,

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which nominations shall be presented to the Commissioners by the said Secretary at the meeting to be held at the usual meeting place, which shall be held not later than 8:00 in the evening of the last day for filing said nominations. The Commissioners shall cause to be printed ballots, at least as many in number as the citizens in the said Town entitled to vote at the election. Said ballots shall contain the names of all persons nominated under the heading designating the offices for which nominated, and such ballots shall be delivered to the persons appointed or selected to hold the election at the opening of the polls, and every citizen calling for a ballot shall receive one from the persons holding the election. The voters may also prepare for themselves ballots, either printed or written, provided that such ballots do not contain a name or names other than those nominated as aforesaid.

ELECTION BOARD

Section VI. Every election shall be held under the supervision of an Election Board, consisting of three qualified voters of said Town, to be appointed for that purpose by the Commissioners, but if at the opening of the election there shall not be present the three qualified voters so appointed, or any of them, in such case, the persons entitled to vote at such election and then present shall appoint, by viva voce vote, a qualified voter or voters to act. Three persons composing the Election Board shall be judges of the election and shall decide upon the legality of the votes offered, keeping a list of all voters voting. Each member of said Election Board shall be paid the sum of Two Dollars (\$2.00) for his or her services.

QUALIFICATION OF VOTERS

Section VII. At any such election every person, male or female, who shall have been a freeholder in said Town for a period of six months immediately preceding such election and against whose property there shall be no unpaid tax of the Town on the assessment list, above the age of twenty-one years, whether a resident or a qualified voter in the State of Delaware or not, and who shall have actually attended or spent at least one week in said Town during the year in which such election is held, shall

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be entitled to vote; provided, that any married man or women, whose wife or husband is a freeholder of said Town, although he or she may not be in his or her own right the owner of any real estate in said Town, shall be entitled to vote. The same qualifications shall apply to any person before he or she may be nominated and elected as a Commissioner.

DUTIES OF ELECTION BOARD

Section VIII. Upon the close of the election the vote shall be read and counted publicly, and the person having the highest number of votes for each office shall be declared duly elected and continue in office for the term stated, or until his or her successors shall be duly elected and qualified. In case of a tie, the three persons holding the election shall, by a majority vote, decide which of the candidates so tied shall be elected.

The Election Board shall enter in a book to be provided for that purpose a minute of the election, containing the names of the persons chosen, shall subscribe to the same and shall give to the persons elected certificates of election, which book, containing such minutes, shall be preserved by the Commissioners, and shall be evidence in any Court of Law or Equity. All ballots cast and the records of the election shall be preserved in the custody of the Election Board for a period of ten days.

ORGANIZATION

Section IX. The Commissioners at their first meeting after said election, or as soon thereafter as may be, shall choose from their own number, a President and a Secretary and Treasurer to serve until the first annual organization meeting after the next preceding election. They may also choose an Assistant Secretary, to serve at the pleasure of the Commissioners who may or may not be from among their own number.

MEETING OF THE COMMISSIONERS

Section X. The Commissioners shall hold regular meetings once a month at such times and places as may be designated by the Commissioners. Special meetings may be called by the Presi-

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dent and shall be called by him upon the written request of three of the members of the Commissioners and held as prescribed by ordinance or resolution; and all meetings, regular and special, shall be open to the public.

QUORUM

Section XI. A majority of the members elected to the Commissioners shall constitute a quorum; but a less number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

RULES AND MINUTES OF COMMISSIONERS

Section XII. The Commissioners shall determine its own rules and order of business, and shall keep a journal of its proceedings, and the ayes and nays shall be taken upon the passage of every ordinance and resolution and shall be entered in the journal with the text of the ordinance or resolution.

VACANCY

Section XIII. In case of vacancy created in the Office of President or member of the Commissioners, either by death, resignation, loss of residence or otherwise, the Commissioners may fill such vacancy and the person so appointed shall serve for the unexpired term or until his or her successor shall be elected and duly qualified.

DUTIES OF PRESIDENT

Section XIV. It shall be the duty of the President to preside at the meetings of the Commissioners, and to have the general supervision of the affairs of said Town and other persons who may be employed by the said Commissioners; to receive the complaints or nuisances and violations of law and ordinances and present the same to the said Commissioners at the next meeting for their action; he shall sign all warrants on the Treasurer for the payment of any moneys and shall perform certain other duties as may be prescribed by any ordinance or the by-laws adopted by said Commissioners.

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SECRETARY

Section XV. The Secretary shall record all the proceedings of the Commissioners, and shall keep a correct journal of the same in a book to be provided for that purpose; he shall file and keep in a safe place the seal of the Town and all papers and documents relative to the affairs of the Town; and shall deliver the same to his successor in office. He shall also attest the seal of the Town when authorized by the Commissioners and shall perform such other duties and have such other powers as may be prescribed by ordinance. All records, books, papers and documents in the custody of the Secretary shall always be open for the inspection of the Commissioners and the public, under such regulations as the Commissioners may prescribe.

TREASURER

Section XVI. The Treasurer shall be the custodian of all the Town funds and shall deposit them in such banking institutions as may be designated by the Commissioners; he shall pay out no money except upon check or warrant countersigned by the President and Secretary and authorized by the Commissioners; he shall keep a true, accurate and detailed account of all moneys received and of all moneys paid by him; he shall preserve all vouchers for moneys paid by him and his books and accounts shall at all times be open to the inspection of the Commissioners; he shall make such reports and at such times and places as the Commissioners may direct. He shall file with the Commissioners a bond with corporate surety by the faithful performance of his duty, in such form and for such amount as the Commissioners shall direct.

ALDERMAN

Section XVII. The Commissioners may elect some suitable person to be Alderman, who may or may not be a Justice of the Peace, and who may or may not be a resident of the said Town, to serve as such for one year or until his successor shall be duly elected and qualified; provided, however that the Commissioners may at any time remove said Alderman from his office by a vote of two-thirds of all of said Commissioners. In the event of

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a vacancy in the office of Alderman, for any reason whatsoever, or in the event of his inability to serve, upon order of the Commissioners, the nearest Justice of the Peace shall have jurisdiction and cognizance to hear and determine all breaches of the peace and other offenses committed within the limits of the Town so far as to arrest and hold to bail or fine and imprison offenders.

The Alderman shall have jurisdiction and cognizance of all breaches of the peace and other offenses committed within the limits of the Town so far as to arrest and hold to bail or fine and imprison offenders; of all fines, penalties and forfeitures prescribed by this Charter or ordinances enacted hereunder; of all neglects, omissions or defaults of any member of the police force or Town officer, agent or employee; provided that he shall impose no fine or penalty in excess of that fixed by the ordinance, and shall not commit to prison for a longer term than thirty days. The Sussex County jail may be used for imprisonment under the provisions of this Charter. The Commissioners shall reimburse the Alderman or the Justice of the Peace, as the case may be, for all costs levied which cannot be collected from persons against whom fines are imposed. The Alderman shall also have jurisdiction in suits of civil nature for the collection of Town taxes, recovery of amounts due and payable for the construction of sidewalks, curbs or pavements, expenses or abatement of nuisances and all other matters which may arise in the proper government and control of the Town under the provisions of this Charter; and within his jurisdiction he shall have all powers and authority and shall be subject to all the limitations of a Justice of the Peace of Sussex County, except as may be herein otherwise provided; and his fee shall be the same as those of the Justice of the Peace for like service. For any service for which no fee is provided such fee shall be established by ordinance. Any Justice of the Peace resident in said Town shall have concurrent jurisdiction with said Alderman, or acting Alderman, with the same authority and limitations, for violations of Town ordinances, collection of Town taxes and all other matters within the purview of this Charter.

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Upon the expiration of the term of office, or upon his resignation from office, the Alderman shall forthwith deliver to his successor all books, papers, documents and other things belonging or appertaining to his office and shall pay over to the Treasurer all moneys in his hands belonging to the Town. Upon neglect or failure to make such delivery or payments for the space of ten (10) days, he shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than Five Hundred Dollars (\$500.00) or imprisoned at the discretion of the Court.

At every regular monthly meeting of the Commissioners, the Alderman shall report in writing all fines imposed by him and all fines and penalties and other moneys received by him during the preceding month belonging to the Town. He shall pay all such moneys to the Treasurer within ten (10) days after making report thereof to the Commissioners, and for failure to make report to the Commissioners or for failure to make payment to the Treasurer for the space of ten (10) days, he shall be deemed guilty of a misdemeanor and shall be punished, upon conviction, as herein provided.

AUDITOR

Section XVIII. An Auditor of Accounts, who may or may not be a resident of the Town of Bethany Beach, shall be appointed by the Commissioners at each annual meeting to serve for the term of one year or until his successor shall have been duly appointed and qualified. It shall be his duty to audit the accounts of the Town and all of its officers whose duty involves the collection, custody and payment of money to the Town. He shall audit the books of the Alderman and the records of all fines, penalties and costs imposed or collected by him pursuant to any judgment, order or decree made. He shall make and deliver a detailed report of any and all accounts, records and books by him examined and audited as the Commissioners may require. The Auditor in the performance of this duty shall have access to all records of the Commissioners and of all records and accounts of the offices of the Commissioners and he is authorized

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and empowered to employ such clerks and accountants as in the judgment of the Commissioners may be necessary in the proper performance of his duties.

TOWN SOLICITOR

Section XIX. At the annual meeting the Commissioners shall select a Town Solicitor for the term of one year or until his successor shall have been duly chosen and qualified. The Town Solicitor shall be a member of the Bar of Sussex County. It shall be his duty to give legal advice to the Commissioners and other officers of the Town, and to perform other legal services as may be required of him by the Commissioners.

BOARD OF HEALTH

Section XX. The Commissioners shall appoint three members, who may or may not be residents of the Town, who shall compose the membership of the Board of Health. The Board shall serve for one year; shall have cognizance of all matters pertaining to the life and health of the residents of the Town; shall report to the Commissioners in writing whatever is deemed by the Board to be injurious to the health of the people of the Town, and shall also make such recommendation to the Commissioners as may, in their judgment, be beneficial or in any way contribute to the sanitation or health of the residents of the Town. The Board shall also have all powers enumerated by the laws of the State of Delaware for local Boards of Health.

The Board shall organize by election of a President and Secretary as soon as possible after the notice for their appointment, and shall keep a record of their proceedings and acts. The Secretary shall be executive officer of the Board.

The power to adopt ordinances relating to the health of the population of the Town, or to prevent the introduction or spread of infectious or contagious disease or nuisances effecting the same shall extend to an area within one mile outside of the limits of the Town.

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POLICE

Section XXI. It shall be the duty of the Commissioners to appoint a Police force, consisting of a Chief and such number of subordinates as the Commissioners may deem advisable; and the Commissioners shall from time to time make rules and regulations that may be necessary for the organization, government and control of the Police. The members of the police shall be subject to the direction of the Commissioners and may be removed by the Commissioners at any time. They shall preserve peace and order and shall compel obedience within the limits of the Town to the ordinances of the Town and the laws of the State; and they shall have such other duties as the Commissioners shall from time to time prescribe.

Each member of the police shall be vested, within the Town limits and within one mile outside of said Town limits, with all the powers and authority of a Constable of Sussex County, and in the case of the pursuit of an offender, their power and authority shall extend to any part of the State of Delaware.

Every person sentenced to imprisonment by the Alderman, acting Alderman or Justice of the Peace shall be delivered by a member of the police force to the County Jail of Sussex County, to be therein imprisoned for the term of the sentence. In the case of an arrest at a time when the Alderman shall not be available to hear and determine the charge, the person arrested may be delivered to the County Jail for imprisonment until such reasonable time thereafter as shall enable the Alderman, acting Alderman or Justice of the Peace to hear and determine the charge against such person.

TOWN BUDGET

Section XXII. Annually each year, and not later than the First day of April, the Commissioners shall prepare a budget containing the financial plan for conducting the affairs of the Town for the ensuing fiscal year. The budget shall contain the following information:

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1. A detailed statement showing the expenses of conducting each department and office of the Town for the ensuing fiscal year.

2. The value of supplies and materials on hand, together with the nature and kind of any machinery or other implements in the condition thereof.

3. The amount of the debt of the Town, together with a schedule of maturities of bond issues.

4. A statement of the amount required for interest on the bonded debt, the amount necessary to pay any bond maturing during the year, and the amount required for the sinking fund.

5. An estimate of the amount of money to be received from taxes and all other anticipated income of the Town from any source or sources.

The Commissioners shall, so far as possible, adhere to the budget so adopted in the making of appropriations, but may revise the same whenever, in the opinion of the Commissioners, such revision shall become necessary or advisable.

ASSESSMENT OF TAXES

Section XXIII. The Commissioners may annually appoint an Assessor to assess the value of real estate within the limits of the Town. The assessor, prior to the first Monday in May of each year, shall make a just, true and impartial annual valuation or assessment of all real estate within the limits of the Town of Bethany Beach, and shall as soon as possible cause a full and complete transcript of said assessment, containing the amount assessed to each person, partnership or corporation to be hung up in a public place in said Town for public inspection. The Commissioners shall within a reasonable time thereafter hold a Court of Appeal, at which they shall hear appeals from said assessment. Notice of the hanging up of the list and also at the same time notice of the time and place of hearing appeals shall be given by notice posted in at least five public places in said Town. The decision of a majority of said Commissioners upon

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any appeal shall be final and conclusive. No Commissioner shall sit upon his own appeal, but the same shall be heard and determined by others. After the valuation and assessment shall be examined and adjudged by the said Commissioners, all taxes shall be levied, assessed and raised on the real estate thus valued and assessed in just and equal proportions.

In making such assessment, the rules and exemptions now applicable by law to the making of the County assessment of persons and properties shall be applicable in so far as consistent with the provisions of this Charter. Real estate shall be assessed to the owner or owners if he, she, they or it be known. If the owner or owners of real estate cannot be found or ascertained, it may be assessed "owner unknown". A mistake in the name of the owner or owners, or a wrong name, or an assessment to "owner unknown", shall not affect the validity of the assessment of any municipal tax or assessment based thereon; provided, the assessment shall specify the last record owner or owners thereof as the same shall appear from the records in the Office of the Recorder of Deeds of Sussex County, at Georgetown, Delaware.

The Assessors shall, if so directed by the Commissioners, make a personal assessment of all the male and female citizens of the Town above the age of twenty-one years. He shall also make a personal assessment against all person or persons owning real estate within the limits of the Town, whether he be a resident or non-resident owner of said real estate; said personal assessment shall be determined by the Commissioners and certified to the Assessor; said personal assessment or per capita tax, in the case of both resident and non-resident real estate owner, shall be an addition to the assessment levied on the real estate so owned by or assessed against them.

The Commissioners shall also have the right to levy and collect taxes upon all telephone, telegraph, power poles or other erections of like character erected within the limits of the Town, together with the wires and appliances thereto or thereon attached, that are now assessable and taxable, and to this end, may at any time direct the same to be included or added to Town assessment. In case the owner or lessee of such poles or erec-

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tions shall refuse or neglect to pay the taxes that may be levied thereon, the said taxes may be collected by the Collector of Taxes as in case of other taxes, and the Commissioners shall, in addition, have authority to cause the same to be removed.

COLLECTION OF TAXES

Section XXIV. The Commissioners shall appoint a Collector of Taxes to collect taxes levied by the Commissioners.

The Collector of Taxes, as soon as the Commissioners shall have placed in his hand the duplicate annual tax list, shall proceed at once to collect the tax on said list.

All taxes so laid or imposed by the Commissioners of Bethany Beach in such tax list shall be and constitute a lien upon all the real estate of the taxable against or upon whom such taxes are laid or imposed of which such taxable was seized, at any time after such taxes shall have been levied and imposed, situate in the Town of Bethany Beach. Such lien shall have preference and priority to all other liens on real estate created or suffered by such taxable although such other lien or liens be of a date prior to the time of the attaching of such liens for taxes; provided that the lien for such Town taxes shall remain a lien for the period of three years from the date upon which the Commissioners shall deliver to the Collector the tax list therefor; provided further that if such real estate shall remain the property of such person or persons who own it at the time the tax was laid, then the lien shall not be extinguished until the tax is collected.

All taxes, when and as collected by the Collector of Taxes, shall be paid to the Treasurer, and all taxes shall be due and payable at and from the time of the delivery of the tax list to the Collector of Taxes. On all taxes paid after the First Day of January next succeeding the delivery of the annual duplicate tax list to the Collector of Taxes, there shall be added an amount equal to one (1) per centum per month for each and every month such taxes shall remain unpaid, and shall be collected in the same manner as the original amount of the tax. On the same day of the month of the year following the delivery of the dupli-

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cate annual tax list to the Collector of Taxes, the Collector of Taxes shall make full, final and complete settlement with the Treasurer and Commissioners. At such settlement the Commissioners shall allow to the Collector of Taxes all taxes which shall have been impossible to collect by reason of errors in the assessment list, delinquencies or otherwise. No allowances shall be made for the default or neglect or delay of the Collector of Taxes. The settlement shall be final and conclusive and no other allowances in any form shall be made to the Collector of Taxes by the Commissioners. Upon the conclusion of the settlement, the Collector of Taxes shall forthwith pay over to the Treasurer of the Town the aggregate amount of the taxes found to be due the Town. Upon his failure or neglect to do so, it shall be the duty of the Commissioners to proceed to collect the same from the Collector of Taxes and/or his surety. Default by the Collector of Taxes to the Town in any sum shall, ipso facto, vacate his office; provided, however, that the Commissioners for good cause shown shall have the power to extend the time for settlement by the Collector of Taxes for a period of not exceeding six (6) months.

If the Collector of Taxes shall be unable, within one (1) year of the date of the delivery of the duplicate annual tax list to him, to collect the tax of any taxable, he is authorized and empowered, to collect such tax from such taxable and in collecting the same shall have the same powers and authority as are now given by law to a Collector of Taxes for Sussex County.

ENUMERATION OF POWERS

Section XXV. By ordinance, rules, regulations, resolutions, and by-laws or amendments to the same, The Commissioners of Bethany Beach, for the good government and welfare of the Town, shall have the following powers (which shall not be deemed to be exclusive); to prevent vice, drunkenness and immorality; to preserve peace and good order; to restrain and suppress disorderly houses, gambling houses, houses of ill-fame; to restrain and suppress all instruments and devices for gaming; to prohibit all gaming and fraudulent devices; to prohibit, restrain and regulate all sports, exhibitions of natural or artificial curi-

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osities, caravans of animals, theatrical exhibitions, circuses or other public performances and exhibitions for money and to license the same; to prevent any horse racing in any street, highway, alley or strand; to authorize the stopping and detention of any person who shall be guilty of any immoderate riding or driving of any horse, other animal, motor vehicle or other vehicle in any street, alley, highway, alley or strand; to regulate and control the parking of all vehicles upon the streets of the Town; to prevent the driving of any drove or droves of horses, mules, cattle, sheep, swine or other animal through any of the streets, avenues, highways, alleys or strands of the Town on the Sabbath day, and to regulate the same at all times; to establish and regulate one or more pounds, and to restrain the running at large of horses, cattle, swine, goats or other animals, or geese, chickens, ducks or other poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the cost of keeping, impounding and sale; to authorize the destruction of dogs running at large and to impose taxes on the owner of dogs; to locate, regulate and remove slaughter houses, swine pens, privies and water closets; to regulate and prohibit any practice having a tendency to frighten animals, or to annoy persons on the streets or the sidewalks of said Town; and to restrain drunkards, vagrants, mendicants and street beggars.

The Commissioners of Bethany Beach shall, in a like manner, have the power to ascertain and establish the boundaries of all streets, avenues, highways, lanes and alleys in said Town; to prevent and remove all encroachments on said streets, avenues, highways, lanes, alleys, beach or beach strands; to regulate, clean and keep in repair, the streets, highways, lanes, alleys, beach, beach strands, boardwalks, wharves, docks, sidewalks, crosswalks, sewer drains, aqueducts and water courses, and to prevent and remove obstructions in and upon the same in any manner whatsoever; to level, grade, flag or re-flag, curb or re-curb, gutter or re-gutter, pave or re-pave, macadamize, gravel or shell the streets, highways and alleys of said Town, and the sidewalks, crosswalks and gutters thereof, or any of them, or any parts or sections of the same; to prescribe the manner in which such work shall be performed; to enforce the removal of snow, ice and dirt from sidewalks and gutters by the

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occupant or owner thereon, to prevent or regulate the erections of any stoop, step, platform, bay window, cellar door, gate, area, descent into a cellar or basement, sign or post, or the erection of any projection or otherwise, in, over, under or upon any street, sidewalk, or avenue, and to remove the same where already erected, at the expense of the owner or occupant of the premises; to abate or remove nuisances of all kinds at the expense of those maintaining them, and to compel the owner or occupant of any lot, house, building, shed, cellar or place wherein may be carried on any business or calling, or in or upon which there may exist any matter or thing, which is or may be detrimental, in the opinion of The Commissioners, or Board of Health, to the health of the inhabitants of the Town; to cleanse, remove or abate the same, under the direction of the Commissioners as often as the said Commissioners or Board of Health may deem necessary for the health and well-being of the inhabitants of the Town; or in a summary manner to cause the same to be done at the expense and proper cost of such owner or occupant; and such owner or occupant is hereby expressly made liable for said costs and expenses, to be collected, as hereinafter directed, from such owner or occupants in addition to any fine or penalty which he, she, they or it may be liable for maintaining such nuisance.

The Commissioners of Bethany Beach shall, in a like manner, have the power to prescribe the manner in which all contracts for performing work or furnishing materials for the Town shall be made and executed; to prescribe the manner in which corporations or persons shall exercise any privileges granted to them in the use of any street, avenue, highway, alley, beach or strand in said Town, or in digging up any street, avenue, highway, or alley, beach or strand for the purpose of laying down pipes, or for any purpose whatsoever, and to prohibit and prevent any such use or work at such times and seasons of the year as they may designate; to enter into contract or contracts with, or to grant franchises, concessions, or rights to any person, firm, partnership or corporation who may apply for the use of any street, highway, avenue, lane, alley, beach or strand for the purpose of furnishing electric lights, power, gas, heat or water to said Town and its inhabitants, or for the

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constructions and operation of railways, steam, motor, electrical or other powers; or to regulate, route, grant franchises to and enter into contract or contracts with any other public carrier or for the construction and operation of sewer or other sanitary systems of drainage or for the erection of wharves or piers; to regulate, protect and improve the public grounds of said Town to provide lamps to light the streets in public places of every description in said Town; to erect and regulate wells, pumps, aqueducts and cisterns in the public streets; to prescribe and regulate the places of vending or exposing to sale of any *all articles of merchandise from wagons or other vehicles.

The Commissioners of Bethany Beach shall, in like manner, have the power to direct and regulate the planting, rearing, treatment and preserving of ornamental shade trees in the streets, highways, avenues, parks and grounds in said Town and to authorize and prohibit the removal or destruction of said trees; to direct the digging down, draining, filling-up or fencing of lots, tracts, pieces or parcels of ground in said Town, which may be deemed dangerous or unwholesome or necessary to carry out any improvements authorized by the Town or this Charter; to prescribe the manner in which such work shall be performed, and to cause the expense thereof to be assessed on such lots, tracts, pieces or parcels of ground, whether improved or unimproved, and to determine the time and manner in which such assessment shall be collected; for the prevention of fire and the preservation of the beauty of the Town; to regulate and control the manner of building or removing of dwelling houses or other buildings, and to establish a code for the same, and to establish a building line for buildings to be erected; provided that such building line shall not be established more than twenty (20) feet back from the front line of lots; to zone or district the Town and make particular provisions for particular zones or districts with regard to buildings or building materials, and may forbid any building except for which a building permit therefor has been obtained from and as prescribed by the Commissioners; provided, that this provision shall be deemed to include new buildings or re-buildings or addition to or alterations of existing structures of any kind, as to which the Com-

*so enrolled

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missioners are granted all the authorities and powers vested in the Legislative Body of Cities and Incorporated Towns under and by virtue of Chapter 179 of the Revised Code of Delaware, 1935, as amended; to prohibit, within certain limits, to be from time to time prescribed by ordinance, the building or erecting of stables; to regulate the construction of chimneys, to compel the sweeping thereof; to prevent the setting-up or construction of furnaces, boilers, ovens or other things in such manner as to be dangerous; to prohibit the deposit of ashes in unsafe places, and to authorize any Town Officer or Constable or person whom they may designate for that purpose; to enter upon and inspect any place or places for the purpose of ascertaining whether the same is or are in a safe condition; and if not, to direct or cause the same to be made so; to make, adopt and promulgate all rules and regulations relative to the use of any sewer in said Town and the tapping thereof, including the charge and fee therefor, as they shall deem proper, and they may also adopt ordinances prescribing penalties for any injury to the said sewer system or any part thereof, or for any abuse of any privilege granted in connection therewith; to prescribe the material of private drains or sewers which shall enter into any Town sewer, and shall direct the manner in which they shall be laid; upon written notice from the Board of Health of the existence of a nuisance detrimental to the public health of the inhabitants of said Town, stating that such nuisance can be eliminated by connecting the property upon which said nuisance exists with the sewerage system of the Town; to compel the owner or owners of such property to connect such property with the sewerage system of the Town, within thirty days after written notice, directed to such owner or owners.

The Commissioners shall, in like manner, have the power to regulate or prohibit the carrying on of manufactories dangerous in causing or promoting fires; to regulate or prohibit the manufacture, sale or use of fireworks, and the use of firearms in said Town; to regulate or prohibit the use of candles and lights in barns, stables and other buildings; to regulate and prohibit swimming or bathing in the ocean or within waters within the limits of the Town.

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The Commissioners shall further have the power and authority to compel the owners of property within the limits of the Town to keep the same free from unsanitary or unsightly conditions, clear of tall weeds and rubbish, and to fill in any low lots, provided that the Commissioners in their opinion shall deem the same to be unsanitary or unsightly or in any other manner prejudicial to the welfare of the Town or adjoining lot owners. They shall have the power and authority to pass any ordinance prohibiting or regulating the same.

The Commissioners of Bethany Beach, shall, in like manner, have the power and authority to collect license fees annually of such various amount or amounts as the Commissioners shall, from time to time, fix from any individual, firm, association or corporation carrying on or practicing any business, profession or occupation within the limits of the Town; provided, however, that nothing herein shall be so construed as to make it mandatory upon any resident of the State of Delaware to apply for a license in order to sell, in the Town of Bethany Beach, farm produce or any farm products grown on his or her farm.

The Commissioners shall also have the power and authority to levy and collect license fees upon the property of any person, firm, association or corporation carrying on business in the Town and supplying the inhabitants thereof with any form or manner of services for any valuable consideration.

The Commissioners shall have the power to make and establish such other ordinances, regulations, rules and by-laws, not contrary to the laws of this State, or of the United States, as they, the said Commissioners, may deem necessary to carry into effect the powers and duties imposed upon them by this Charter or any other law of this State, and such also, as they may deem necessary and proper for the good government protection or preservation of persons and property, or for the preservation of the public health of the City and its inhabitants.

The Commissioners shall have the power to acquire lands, tenements, property, or any interest therein, by way of condemnation proceedings, for the purposes of providing sites for public buildings, parks, sewer system, sewage treatment plant,

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water system, water plant, gas or electric system, gas or electric manufacturing or generating plant, and for any other public municipal purpose or purposes. The proceedings by condemnation in any such proper case shall be the same as prescribed hereafter in Section 28 of this Charter for the opening and laying out of new streets or the vacating or abandoning of old streets and the resolutions referred to in said Section 28 shall be changed and modified to cover any case contemplated hereby.

REMOVAL OF OBSTRUCTIONS, NUISANCES, UNSANITARY OR UNSIGHTLY CONDITIONS

Section XXVI. In addition to the power to impose fines and penalties for the maintenance of obstructions, nuisances, unsightly or unsanitary conditions, as these terms should be defined, by the Commissions, if the Commissioners, either upon their own inspection or upon information obtained from the Board of Health, Police force, or citizens of the Town, shall deem that such obstruction, nuisance, unsightly or unsanitary condition should be removed or abated, as the case may be, the Commissioners shall enact an ordinance or adopt a resolution, or both, to that effect, and thereupon shall direct the Secretary to forward to the person or persons continuing or causing such obstruction, nuisance, unsightly or unsanitary conditions, or to the person or persons who are responsible for its existence or continuance, by the mails of the United States, in a sealed wrapper, addressed to his or her last known post office address, a notice to remove or abate the same. If such person or persons refuse or neglect, for the space of five (5) days after such notice is mailed, to remove or abate the same, the Commissioners shall issue a warrant in the name of the Commissioners of Bethany Beach, commanding such person or persons forthwith to remove or abate such obstruction, nuisance, unsightly or unsanitary condition, and shall forthwith proceed to remove or abate the same and, to that end, shall have full power and authority to enter into and upon any lands and premises within the limits of the Town. The Commissioners, or anyone designated by them, shall likewise have the authority to take with them such assistants, implements, machinery or other things as may be

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necessary and proper to do and perform all matters and things in connection with the removal or abatement of such obstructions, nuisance, unsightly or unsanitary condition. At the next regular or special meeting of the Commissioners, the Commissioners shall specify the costs and expenses of all necessary work, labor and proceedings incurred in the abatement or removal of the same. The Commissioners shall then issue a warrant, containing an itemized account of that information, together with the name and last known address of the person from whom the Commissioners shall determine the amount due and shall deliver such warrant to the Collector of Taxes of said Town. The warrant shall command such Collector of Taxes forthwith to collect the amount stated to be due thereon from the person or persons designated therein. The Collector of Taxes shall forward to such person or persons in a sealed wrapper a true and correct copy of the warrant by depositing the same in the United States mail and addressed to such person or persons last known post office address or serve personally upon said person if he be within the limits of the Town. If such person or persons shall refuse or neglect to pay the same within thirty (30) days from the date of the mailing of such notice and exact copy of the warrant or the service of the same personally upon such person or persons, the Collector of Taxes shall then be authorized and required to collect the same in any of the manners hereinbefore provided in Section 24 of this Charter.

SIDEWALKS, BOARDWALKS, CURBING AND GUTTERS

Section XXVII. In respect to leveling, grading, flagging or re-flagging, curbing or re-curbing, guttering or re-guttering, paving or re-paving, building or re-building, the sidewalks, boardwalks, crosswalks and gutters of the Town, the expense thereof shall be borne by the owner of the property abutting upon the same, and the Commissioners shall have the authority to specify the manner of performance, and the materials to be used therein.

The Commissioners are authorized to notify and direct, in writing, the owner or owners of any house or land in said Town, along, in front of or adjoining which they deem proper that a pavement, sidewalk, or a curb or gutter or both be constructed,

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to construct said sidewalk, boardwalk or curb or gutter, or both, and the Commissioners shall have the authority to specify the manner of performance and the materials to be used therein. Letters to one joint owner shall be notice to all. In case the owner shall not reside in the Town at the time, notice to the occupant or tenant shall be deemed to be a sufficient notice. If there be no occupant or tenant residing in the Town at the time, such notice may be sent by mail to the owner, directed to him or her at his or her last known post office address. Should such owner neglect or refuse to comply with said notice for the space of thirty (30) days, the Commissioner shall issue a warrant in the name of the Town, directed to the Collector of Taxes or the Chief of Police, demanding such person forthwith to do their work as specified in the above mentioned notice to the owner or owners. Whereupon the person to whom said warrant shall have been directed shall forthwith proceed to lay such pavement, sidewalks, curbs or gutters, or either or both, as directed in the warrant. To that end he shall have full power and authority to enter in any premises or lands of the Town, and to take with him such assistants, materials, implements, machinery or other things as may be necessary or proper to perform the work specified in the warrant. At the next regular or special meeting of the Commissioners, after the delivery of the warrant, upon return thereon including an itemized statement of all costs incurred in the performance of necessary work and labor attended thereto, the Commissioners shall determine the amount due the Town by reason of the work done, and shall issue a warrant thereon, directed to the Collector of Taxes or Chief of Police, which shall contain the amount to be by him collected, and the person or persons from whom it shall be by him collected and commanding him forthwith to collect the same from the person or persons so specified in the warrant. A true and exact copy of this warrant shall be mailed or served upon the person or persons therein specified. If the amount specified as due the Town shall not have been paid to the Town within thirty (30) days from the date of service of such true and exact copy of the warrant, the Collector of Taxes shall then be authorized and required to collect the same in any manner hereinbefore provided in Section XXIV of this Charter.

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The provisions of this Section will also apply to the repair or re-paving of any sidewalks, boardwalks, curbs or gutters.

STREETS

Section XXVIII. The Commissioners of Bethany Beach shall have the power and authority to locate, lay out and open new streets and to widen or abandon the same, or parts thereof, whenever they shall deem it for the best interests of the Town to do so. In such case, the Commissioners shall adopt a suitable resolution, which shall include a general description of the street to be opened, widened or altered or to be vacated or abandoned, as the case may be, stating the day, hour and place where the Commissioners will sit to hear and determine objections, and to award damages by reason thereof. Copies of such resolution shall be posted in at least five of the most public places in the Town at least five days prior to the day fixed by the Commissioners for the hearing of aforesaid resolution.

At said hearing, the Commissioners shall hear objections to the proposed resolution and/or any damages which might be sustained by any owners of property affected thereby, and shall award just and reasonable compensation to any person or persons who shall be deprived of property by virtue thereof. In determining the damage sustained by any property owner, however, the Commissioners shall also take into consideration the value of any benefit for advantage which said property owner may receive in the performance of the project proposed by said resolution. Anyone making a claim for damages to his property who shall be dissatisfied with the award of the Commissioners, as aforesaid, may within five days thereafter appeal from such award by serving written notice to that effect upon the Secretary or the President, or, in their absence, upon any member of the Commissioners of Bethany Beach. Such appellant shall within ten days after the award by the Commissioners apply to the Resident Judge of the Superior Court of the State of Delaware, in and for Sussex County, or in his absence, to any member of the Superior Court of the State of Delaware, for the appointment of freeholders to hear and determine said appeal. The said Resident Judge, or a member of the Superior Court, as the case

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may be, shall issue a commission under his hand directed to three impartial freeholders of Sussex County, so commanding them to determine and fix the damages which said appellant shall have sustained by reason of damage sustained to his property as aforesaid. Said freeholders shall take into consideration the benefits of advantages that will enure to the said appellant in considering any damage which he may have sustained. Said freeholders shall make return of their findings to the Resident Judge or another member of the Superior Court, as the case may be, at a time appointed in the said Commission.

Said freeholders shall serve upon the appellant, personally or by posting a copy thereof on the premises affected, at least five days before the day specified therein, notice of the day, hour and place where they will meet to view the premises and to assess the damages, if any, as aforesaid. A copy of such notice shall be served upon the Secretary or the President of the Commissioners of Bethany Beach at least five days before the day of such meeting.

At said meeting the freeholders shall view the premises and hear the appellant and any witnesses whom he may choose to call and the Commissioners of Bethany Beach and its witnesses, if any, and shall, without delay, determine and fix the damages, if any, which the said appellant shall have sustained. The return of the freeholders shall be final and conclusive. The Resident Judge, or member of the Superior Court, as the case may be, shall have full power to fill any vacancy among the freeholders.

The Commissioners of Bethany Beach shall pay or tender the amount of the damages so ascertained, if any, to the person or persons entitled to them within one month after the same shall have been finally determined, or they may deposit the same to the credit of such person in any bank in Sussex County within the said period of one month and thereupon may carry into effect the plan contemplated in said resolution.

If the damages awarded the appellant shall be increased above the amount fixed by the Commissioners, the cost of said appeal shall be paid by the Commissioners of Bethany Beach.

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If said damages shall not be increased, the costs of the appeal shall be paid by the party of appealing. The freeholders shall receive five dollars per day each, which shall be taxed as a part of the costs. After the damages shall have been ascertained by the freeholders as aforesaid, the Commissioners shall have the option of either paying the damages assessed within the period of one month aforesaid and proceeding with said improvement, or they may pay the costs only and abandon the proposed improvement.

For all the purposes of this section the word "Streets" shall be deemed and held to comprehend and include sidewalks, lanes, alleys, roadways or other highways.

JETTIES, BULKHEADS, EMBANKMENTS AND BOARDWALKS

Section XXIX. The Commissioners of Bethany Beach shall have the power and authority to locate, lay-out, construct, widen, extend, improve, repair, vacate or abandon jetties, bulkheads and embankments for the preservation of any beach or strand within the limits of the Town or contiguous thereto, to the end that the same may be preserved and property may be protected, or boardwalks and piers, to the end that the general public may enjoy the use thereof. In the locating, laying-out, constructing, widening, extending, improving, repairing, vacating or abandoning of any such jetties, bulkheads, embankments, boardwalks and piers, the Commissioners shall have full power and authority to use such materials and substances and such methods of construction and shall employ such contractors, engineers, inspectors and others as the Commissioners shall deem expedient and advisable. For the purpose of this Section the Commissioners shall have full power and authority to expend such part or parts of the money of the Town, in the general fund of the Town not otherwise appropriated.

The Commissioners may, by condemnation proceedings, take private lands or the right to use private lands for any of the purposes mentioned in this Section. The proceedings by condemnation under this Section shall be the same as prescribed

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in Section 28 of this Charter for the opening and laying out of new streets or the vacating or abandoning of old streets and the resolutions referred to in said Section 28 shall be changed and modified to cover cases contemplated by this present Section.

DRAINAGE

Section XXX. The Commissioners of Bethany Beach shall have full jurisdiction and control, within the limits of the Town, of the drainage of all water thereof, together with the right to alter and change the course and direction of any of the natural water courses, runs and rivulets within the limits of the Town and may pass ordinances for the opening of gutters, surface water and underground drains and sewers within the limits of the Town. The Commissioners of Bethany Beach shall also have full power to regulate, maintain, clean and keep the natural water courses, runs and rivulets within the Town limits open and clean and unobstructed and for that purpose may authorize the entry upon private lands and take, condemn and occupy the same in the same manner and by the same condemnation proceedings as hereinbefore provided by Section 28 of this Charter, which is concerned with the opening and laying out of any streets. By like proceedings the Commissioners of Bethany Beach shall also have the power and authority to enter upon private lands and take, condemn and occupy the same for the purpose of laying-down gutters, surface water and underground water drains or sewers, or any of them, within the Town limits. Provided, however, that the resolutions referred to in Section 28 of this Charter shall be changed and modified to cover those cases contemplated by this particular Section of the Charter.

RIGHT OF CONDEMNATION

Section XXXI. The Commissioners of Bethany Beach shall have the power to acquire lands, tenements, property or interest therein, by condemnation for the purpose of providing sites for public buildings, parks, sewers, sewerage disposal and/or for any other municipal purpose, whether within or without the limits of the Town, the procedure for which shall be substan-

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tially the same as hereinbefore provided in the case of condemning lands for streets and highways, with the necessary changes as to detail.

POWER TO ERECT ELECTRIC, GAS, POWER AND WATER PLANTS AND TO BORROW MONEY AND ISSUE BONDS OR OTHER CERTIFICATES OF INDEBTEDNESS THEREFOR

Section XXXII. The Commissioners of Bethany Beach shall have full power and authority to erect, construct, equip, maintain and operate a plant or plants for the generation and manufacture of electricity, gas, or a water system for the inhabitants of the Town and shall have full power and authority to construct, erect, maintain, improve, extend, equip and operate the same and such lines, pipes, mains and other conveyances therefor as may be necessary, in the judgment of said Commissioners.

The Commissioners of Bethany Beach shall also have the power to make contracts for the purchase of heat, light, sewer service, water, electric current and gas with any responsible person, firm or corporation and to distribute the same to users within or without the said Town with the same full powers as if such light, power, water, electric current or gas had been generated or manufactured by the Town as herein especially provided for in this Charter.

For any of the purposes above named, the Commissioners may borrow money and issue bonds or other certificates of indebtedness to secure the payment thereof on the faith and credit of the Town of Bethany Beach, provided, however, that the borrowing of the money therefor shall have been duly authorized by the Commissioners of Bethany Beach and shall have been approved by the electors in the manner and at the time following:

1. The Commissioners of Bethany Beach shall pass a suitable resolution voicing its approval of borrowing a stated amount of money for one of the specific purposes above named, the manner in which it proposes to secure the same and all other pertinent facts relating thereto and shall fix a time and place for the hearing on said resolution.

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2. Notice of the time and place of a hearing on said resolution shall be posted in at least five public places in the Town at least one week before the time set for said hearing.

3. A second resolution shall then be passed by the Commissioners, ordering a special election to be held, not less than thirty (30) days and not more than sixty (60) days thereafter, at which election the electors shall approve or disapprove the purpose of said first resolution.

4. Notice of said election shall be posted in at least five public places in the Town two weeks prior to the election. The said special election shall be conducted by a Board of Electors as herein provided in the case of an annual election.

5. The Commissioners shall cause to be prepared, printed and have available for distribution a suitable number of ballots not less than five (5) days prior to the day of the special election.

6. At a special election every person eligible to vote at an annual Town election shall have one vote for every dollar and fractional part of dollar of tax assessed to him or her respectively and every owner of property, whether individual, partnership or corporation, shall have one vote for every dollar or part of dollar of tax payable by said owner and the said vote may be cast either in person or by proxy.

7. The Board of Elections shall count the votes for and against said proposed loan, and shall announce the results thereof, shall make a certificate under their hands of the number of votes cast for and against the proposed loan, and shall deliver the same to the Commissioners, which said certificate shall be entered on the minutes of the Commissioners and the original shall be filed with the papers of the Commissioners.

The form of bond, or other certificate of indebtedness, the times of payment of interest, the classes, the times of maturity, and provisions as to the registration shall be determined by the Commissioners. The said bonds or other certificate of indebtedness shall be offered for sale to the best and most responsible

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bidders therefor after suitable advertisement, as the Commissioners shall determine. The Commissioners shall provide, in its budget, and in fixing the rate of tax, for the payment of interest and principal of said bonds or other certificates of indebtedness at the maturity or maturities thereof, and a sinking fund therefor. The faith and credit of the Town of Bethany Beach shall be deemed to be pledged for the due payment of the bonds or other certificates of indebtedness and interest thereon. Such bonds or other certificates of indebtedness, when issued under the provisions hereof, when the same shall have been properly executed and delivered for value, shall be good and valid and incontestable for any reason whatsoever.

CONTRACTS

Section XXXIII. A. The Commissioners, with respect to the exercise of any of its powers or authority which it now has or which it may hereafter have, by virtue of this Charter, or otherwise, is vested with authority on behalf of the Town to enter into contracts with any person, partnership, or corporation, provided, no contract shall be made by the Commissioners for any purpose the contract price of which is in excess of the sum of Five Hundred Dollars (\$500.00), without public competitive bidding; and,

B. Contracts shall be awarded to the lowest responsible bidder, but Council may reject any and/or all bids for any cause deemed by it to be for the best interests of the Town; and,

C. All formal contracts shall be signed by the President with the seal of the Town attached, attested by the Secretary.

D. The Commissioners are specifically authorized and empowered to enter into any contracts, agreements and engagements whatsoever relative to any electric, gas, water or sewer system, fire or other facilities of the Town.

AMOUNT OF TAX TO BE LEVIED

Section XXXIV. The Commissioners, after the assessment shall have been revised and completed, shall determine the amount necessary to be raised in said Town during the year for the

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purpose of improvement and current expenses only and for such purpose they are hereby authorized and empowered to levy and collect a tax, not exceeding in any one year Eight Thousand Dollars (\$8,000.00) on the assessed valuation on all the real estate within the limits of the Town, in furtherance, and not in limitation of any existing Act and employing the Commissioners to raise money by taxation for specific purposes.

REVIVAL OF POWERS IN VALIDATING SECTIONS

Section XXXV. This Act shall operate to amend, revise and consolidate "An Act to Incorporate the Town of Bethany Beach and giving it authority to issue bonds", being Chapter 212, Volume 25, Laws of Delaware, 1909, and the various amendments thereto. All powers conferred upon or vested in the Town of Bethany Beach, or the Commissioners of Bethany Beach by any Act or law of the State of Delaware not in conflict of the provisions of this Charter shall not be repealed, but are hereby expressly reserved and conferred upon and vested in the Town of Bethany Beach and/or The Commissioners of Bethany Beach precisely as if each of said powers was expressly repeated in this Charter.

All ordinances adopted by The Commissioners of Bethany Beach and in force at the time of the approval of this Charter and all the Acts and doings of the Commissioners of Bethany Beach, or of any official of the Town of Bethany Beach which shall have been lawfully done or performed under the provisions of any law of this State or of any ordinance of the Commissioners of Bethany Beach prior to the approval of this Charter are hereby ratified and confirmed, unless otherwise provided herein; all debts, fines, penalties and forfeitures due to the said Town and all debts due from said Town to any person or persons, or corporation, are declared to be unaffected and unimpaired by this Act, and all laws for the collection and enforcement thereof shall continue in full force and effect until the same shall have been fully paid and discharged; all powers and remedies now conferred by law upon the collectors of taxes heretofore appointed in said Town for the collection and enforcement of all taxes in said Town heretofore assessed and levied and uncollected

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shall continue in full force and effect until all of said taxes shall be fully collected and paid; the official bonds of said Collectors of Taxes and of the Treasurer heretofore given shall not be affected or the remedy thereon impaired by this Act, and they and each of them, and their surety or sureties, shall be and continue liable for any default or breach of any of the conditions of said respective bond; all proceedings heretofore commenced for the collection of any penalty, fine, forfeiture or debt, to the said Town upon any bond or obligation or under any law or ordinance, shall not be affected or impaired by this Act, but the same may be prosecuted to judgment and execution until the same be fully paid, liquidated and discharged; all valid laws heretofore passed relating to or concerning said Town or authorizing the borrowing of money and issuing of bonds on the credit of said Town shall be and remain valid and good as heretofore and be unaffected and unimpaired by this Act.

Section XXXVI. This Act shall not become operative until the same has been submitted to a referendum vote of all those persons qualified to vote at town elections in the Town of Bethany Beach. Such referendum vote shall be held at the time of holding the regular Town election in August, 1947, and shall be conducted in the same manner as other Town elections are conducted in said Town and the qualifications of voters and the number of votes which each may cast in such referendum shall be the same as is provided in paragraph 4 of Section 1. of this Act.

Approved May 1, 1947.

CHAPTER 319

APPROPRIATION

FOR PROTECTING THE BEACH AT LEWES

AN ACT TO PROVIDE FOR PROTECTING THE BEACH OR STRAND OPPOSITE, IN FRONT OF, OR NEAR THE TOWN OF LEWES, ALONG THE DELAWARE BAY SHORE, IN SUSSEX COUNTY, DELAWARE, FROM EROSION.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. The State Highway Department is hereby authorized, empowered and directed to provide, erect, construct and build such groins, jetties, banks, dikes, and/or bulkheads along the beach or strand opposite, in front of, or near the Town of Lewes, along the Delaware Bay shore in Sussex County, Delaware, as in the judgment of said Department may be necessary to protect the same from erosion by the waters of the Delaware Bay.

Section 2. A sum not in excess of Ten Thousand Dollars (\$10,000.00) is hereby appropriated for such purposes, and the State Treasurer is hereby directed to pay the same upon proper voucher drawn from time to time by the State Highway Department for the purposes hereinbefore set forth.

Section 3. In the event that all or any part of said sum of Ten Thousand Dollars (\$10,000.00) shall remain unexpended on June 30, 1947 or on June 30, 1948, it shall not revert to the General Fund of the State Treasury, but shall remain available for said purposes up to and including June 30, 1949.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury from funds not otherwise appropriated.

Approved May 1, 1947.

CHAPTER 320

APPROPRIATION

FOR PROTECTING THE BEACH OR STRAND OPPOSITE
SLAUGHTER BEACH

**AN ACT TO PROVIDE FOR PROTECTING THE BEACH OR
STRAND OPPOSITE THE TOWN OF SLAUGHTER
BEACH, IN SUSSEX COUNTY, DELAWARE, FROM
EROSION AND INUNDATION.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met:*

Section 1. The State Highway Department is hereby authorized, empowered and directed to erect, build, rebuild, replace and repair such groins, jetties, banks, dikes and/or bulkheads along the beach or strand opposite and near to the Town of Slaughter Beach, in Sussex County, Delaware, as in the judgment of said Department may be necessary to protect the same from erosion or inundation by the waters of the Delaware Bay.

Section 2. A sum not in excess of Thirty-three Thousand Dollars (\$33,000.00) is hereby appropriated to the State Highway Department for such purposes and the State Treasurer is hereby directed to pay the same upon proper vouchers drawn from time to time by the State Highway Department for the purposes hereinbefore set forth.

Section 3. In the event that all or any part of said sum of Thirty-three Thousand Dollars (\$33,000.00) shall remain unexpended on June 30, 1947, or on June 30, 1948, it shall not revert to the General Fund of the State Treasury but shall remain available for said purposes up to and including June 30, 1949.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the moneys hereby appropriated shall be paid out of the General Funds of the State Treasury from funds not otherwise appropriated.

Approved May 1, 1947.

CHAPTER 321

APPROPRIATION

FOR REPAIRING DYKES NEAR SLAUGHTER BEACH

AN ACT AUTHORIZING AND DIRECTING THE STATE HIGHWAY DEPARTMENT TO REPAIR DYKES FROM BROADKILL BEACH TO MISPELLION RIVER ON THE DELAWARE BAY SHORE AND ERECT A TIDE GATE IN THE CANAL AT OR NEAR SLAUGHTER BEACH CANAL BRIDGE, TO PROTECT THE HIGHWAYS AND LANDS OF CEDAR CREEK AND BROADKILL HUNDREDS FROM INUNDATION BY THE WATERS OF DELAWARE BAY.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That the State Highway Department is hereby authorized, fully empowered, and directed to repair such dykes along the Delaware Bay Shore between Broadkill Beach and Mispillion River, and also such connecting banks between the low dunes at the various places where breaches have been made by storm conditions during recent years and also to provide and erect a tide gate in the canal at or near Slaughter Beach Canal Bridge, as in the judgment of the said Department shall be necessary to protect the highways and lands of Cedar Creek and Broadkill Hundreds from inundation by the waters of Delaware Bay—the said Department may use any aid or advice that may be secured from the Soil Conservation Service of the United States Department of Agriculture in this area.

Section 2. That the sum of Fifteen Thousand Dollars (\$15,000.00) is hereby appropriated out of the State Treasury for the purposes specified in Section 1 of this Act, and the State Treasurer is hereby directed to pay upon proper vouchers drawn from time to time by the State Highway Department for the purposes hereinbefore set forth.

APPROPRIATION

FOR REPAIRING DYKES NEAR SLAUGHTER BEACH

Section 3. In the event that all or any part of said sum of Fifteen Thousand Dollars (\$15,000.00) shall remain unexpended on June 30, 1947, or on June 30, 1948, it shall not revert to the General Fund of the State Treasury but shall remain available for said purposes up to and including June 30, 1949.

Section 4. This Act shall be known as a Supplementary Appropriation Act and the monies hereby appropriated shall be paid out of the General Fund of the State Treasury from funds not otherwise appropriated.

Approved May 1, 1947.

CHAPTER 322

AMENDMENT TO CONSTITUTION

**AN ACT PROPOSING AN AMENDMENT TO SECTION 15 OF
ARTICLE 2 OF THE CONSTITUTION OF THE STATE
OF DELAWARE, RELATING TO THE COMPENSATION
OF THE MEMBERS AND PRESIDING OFFICERS OF
THE GENERAL ASSEMBLY.**

*Be it enacted by the Senate and House of Representatives
of the State of Delaware in General Assembly met (two-thirds
of all the members elected to each House concurring therein):*

Section 1. That Section 15 of Article II of the Constitution of the State of Delaware, as amended by Chapter 15, Volume 30, Laws of Delaware, be amended by striking out all of the first paragraph of the said Section 15 of Article II, and inserting in lieu thereof the following:

The President of the Senate and the members of the General Assembly shall receive an annual salary of One Thousand Dollars (\$1,000.00), payable quarterly. The members shall receive no other compensation for services as such members but shall be entitled to the usual expenses of transportation and the stationery allowance as provided by the Constitution and Laws of the State.

CHAPTER 323

AMENDMENT TO CONSTITUTION

AN ACT PROPOSING AN AMENDMENT TO SECTION 21 OF ARTICLE III OF THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE TERMS OF OFFICE OF THE STATE TREASURER AND AUDITOR OF ACCOUNTS.

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met (two-thirds of all members elected to each House concurring therein):

Section 1. That Section 21 of Article III of the Constitution of the State of Delaware be and the same is hereby amended by striking out said Section 21 and inserting in lieu thereof a new Section to be known as Section 21, as follows:

Section 21. The Terms of Office of the Attorney General, Insurance Commissioner, State Treasurer and Auditor of Accounts shall be four years; provided, however, that at the general election held next after the adoption of this amendment the State Treasurer shall be elected for a term of two years only and thereafter for a term of four years. These officers shall be chosen by the qualified electors of the State at general elections, and be commissioned by the Governor.

CHAPTER 324

AMENDMENT TO CONSTITUTION

**AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV
OF THE CONSTITUTION OF THE STATE OF DELA-
WARE RELATING TO THE NUMBER OF STATE
JUDGES, AND THE CREATION OF THE CONSTITU-
TIONAL OFFICE OF VICE CHANCELLOR.**

*Be it enacted by the Senate and the House of Representatives
of the State of Delaware in General Assembly met (two-thirds
of all members elected to each House concurring therein):*

Section 1. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 2 thereof and by substituting in lieu thereof the following new Section 2:

Section 2. There shall be seven State Judges who shall be learned in the law. One of them shall be Chancellor, one of them shall be Chief Justice, one of them shall be Vice Chancellor, and the other four of them shall be Associate Judges.

The Chancellor, Chief Justice, Vice Chancellor and one of the Associate Judges may be appointed from and reside in any part of the State. The other three Associate Judges may be appointed from any part of the State. They shall be resident Associate Judges, and one of them shall reside in each county.

In case the commission of two or more of the Vice Chancellor and the Associate Judges shall be of the same date, they shall as soon as conveniently may be after their appointment, determine their seniority by lot, and certify the result to the Governor.

Section 2. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 3 thereof and by substituting in lieu thereof the following new Section 3:

Section 3. The Chancellor, Chief Justice, Vice Chancellor and Associate Judges shall be appointed by the Governor, by and with the consent of a majority of all members elected

AMENDMENT TO CONSTITUTION

to the Senate, for the term of twelve years. Provided, however, that the present incumbents in the offices of Chancellor, Chief Justice and Associate Judges, shall continue in said offices until the expiration of the terms of office for which they may have been appointed.

If a vacancy shall occur, by expiration of term or otherwise, at a time when the Senate shall not be in session, the Governor shall within thirty days after the happening of any such vacancy convene the Senate for the purpose of confirming his appointment to fill said vacancy, and the transaction of such other executive business as may come before it. Such vacancy shall be filled as aforesaid for the full term. The said appointments shall be such that no more than four of the persons occupying said offices at the same time shall have been appointed from the same political party.

Section 3. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 4 thereof and by substituting in lieu thereof the following new Section 4:

Section 4. The Chancellor, Chief Justice, Vice Chancellor and Associate Judges shall respectively receive from the State for their services a compensation which shall be fixed by law and paid monthly and shall not be less than the annual sum of ten thousand dollars, and they shall not receive any fees or perquisites in addition to their salaries for business done by them except as provided by law. They shall hold no other office of profit.

Section 4. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 10 thereof and by substituting in lieu thereof the following new Section 10:

Section 10. The Chancellor and the Vice Chancellor shall hold the Court of Chancery. One shall constitute a quorum of the said court. The Chancellor shall be the senior and presiding judge of said court. This court shall have all the juris-

AMENDMENT TO CONSTITUTION

diction and powers vested by the laws of this State in the Court of Chancery, and the Vice Chancellor shall exercise all powers given by law to the Chancellor as the Judge holding the Court of Chancery as fully as though said powers had been specifically given to the Vice Chancellor.

Section 5. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 13 thereof and by substituting in lieu thereof the following new Section 13:

Section 13. The Supreme Court upon a writ of error to the Superior Court, Court of Oyer and Terminer, or Court of General Sessions or upon appeal from the Court of General Sessions shall consist of the Chancellor, the Vice Chancellor and such of the other five Judges as did not sit in the cause below. The Chancellor when present shall preside and in his absence the Chief Justice when present shall preside, and in his absence the senior judge present of the Vice Chancellor and the Associate Judges shall preside. Any three of them shall constitute a quorum, and one of them may open and adjourn the Supreme Court.

Section 6. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 16 thereof and by substituting in lieu thereof the following new Section 16:

Section 16. In matters of Chancery jurisdiction in which the Chancellor and Vice Chancellor are both interested or otherwise disqualified, the Chief Justice shall have jurisdiction, and there shall be an appeal to the Supreme Court, which shall in that case consist of the four Associate Judges, the senior Associate Judge present presiding. Any three of them shall constitute a quorum, and any one of them may open and adjourn court.

Section 7. That Article IV of the Constitution of the State of Delaware as amended by 32 Delaware Laws, Chapter 1, be and the same is hereby further amended by striking out all of

AMENDMENT TO CONSTITUTION

Section 17 thereof and by substituting in lieu thereof the following new Section 17:

Section 17. The Chief Justice or any Judge of the Superior Court of the State of Delaware shall have power, in the absence of the Chancellor and Vice Chancellor, from the county where any suit in equity may be instituted, or during the temporary disability of the Chancellor and Vice Chancellor, to grant restraining orders, and the Chief Justice or any Judge of the Superior Court of the State of Delaware, shall have power, during the absence of the Chancellor and Vice Chancellor from the State or their temporary disability, to grant preliminary injunctions, pursuant to the rules of the Court of Chancery; provided that nothing herein contained shall be construed to confer general jurisdiction over the case.

Section 8. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 21 thereof and by substituting in lieu thereof the following new Section 21:

Section 21. Until the General Assembly shall otherwise provide, the Chancellor and Vice Chancellor shall each singly exercise all the powers which any law of this State vests in the Chancellor besides the general powers of the Court of Chancery, and the Chief Justice and Associate Judges shall each singly exercise all the powers which any law of this State vests in the judges singly of the Superior Court.

Section 9. That Article IV of the Constitution of the State of Delaware be and the same is hereby amended by striking out all of Section 27 thereof and by substituting in lieu thereof the following new Section 27:

Section 27. Whenever a person, not being an executor or administrator, appeals from a decree entered in the Court of Chancery, or applies for a writ of error, such appeal or writ shall be no stay of proceedings in Chancery, or the court to which the writ issues, unless the appellant or plaintiff in error shall give sufficient security, to be approved respectively by the

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Chancellor or Vice Chancellor, who signed the decree appealed from, or by a judge of the court from which the writ issues, that the appellant or plaintiff in error shall prosecute respectively his appeal or writ to effect, and pay the condemnation money and all costs, or otherwise abide the decree in appeal or the judgment in error if he fail to make his plea good.

SCHEDULE

That no conflict or confusion may arise from these amendments, it is hereby declared and ordained as follows:

Section 1. That the present incumbents in the office of Chancellor, Chief Justice and Associate Judges shall continue in said offices respectively until the expiration of the terms of office for which they have been appointed respectively.

Section 2. That the present incumbent in the office of Vice Chancellor shall be deemed to have been appointed to the office of Vice Chancellor, provided for by the Constitution as amended as of the date of his original appointment as Vice Chancellor, pursuant to law, and said Vice Chancellor shall hold said office of Vice Chancellor for a term of twelve years from the date of his original appointment and thereafter the office of Vice Chancellor shall be appointed as provided by the Constitution as amended.

Section 3. The salary now provided for the office of Vice Chancellor pursuant to law shall be the salary for the office of Vice Chancellor provided for by this Constitution as amended until otherwise provided by law.

CHAPTER 325

AMENDMENT TO CONSTITUTION

**AN ACT AGREEING TO THE PROPOSED AMENDMENT TO
ARTICLE V OF THE CONSTITUTION OF THE STATE
OF DELAWARE RELATING TO ELECTIONS.**

WHEREAS, an Amendment to the Constitution of the State of Delaware was proposed to the House in the One Hundred and Tenth Session of the General Assembly, as follows:

**"AN ACT PROPOSING AN AMENDMENT TO ARTICLE
V OF THE CONSTITUTION OF THE STATE OF DELAWARE
RELATING TO ELECTIONS.**

"Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House agreeing thereto):

"Section 1. That Article V of the Constitution of the State of Delaware be amended by adding immediately after Section 4A thereof a new section to be styled Section 4B as follows:

"Section 4B. The General Assembly shall enact uniform laws for the registration of voters of this State entitled to vote under this Article who are temporarily absent therefrom and in the Armed Forces or Merchant Marine of the United States, or retainers or persons accompanying or serving therewith, or who are absent from the State because of illness or injury received while serving in any such capacity, upon application in person or in writing."

AND WHEREAS, the said proposed amendment was agreed to by two-thirds of all the members elected to each House in the said One Hundred and Tenth Session of the General Assembly; and

WHEREAS, the said proposed amendment was published by the Secretary of State three months before the then next

AMENDMENT TO CONSTITUTION

general election, to wit: the general election of 1946, in three newspapers in each County in the State of Delaware, Now, Therefore,

Be it enacted by the Senate and the House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the General Assembly agreeing thereto):

Section 1. That the said proposed Amendment be and it is hereby agreed to and adopted and that the same shall forthwith become and be a part of the Constitution.

Resolutions

CHAPTER 326

SENATE JOINT RESOLUTION

APPROPRIATING MONEYS FOR POSTAGE STAMPS AND OTHER SUPPLIES FOR THE 114TH GENERAL ASSEMBLY.

BE IT RESOLVED by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

Section 1. That the sum of Three Thousand Dollars (\$3,000.00) be and the same is hereby appropriated out of the General Fund in the Treasury of the State of Delaware for the purchase of postage stamps and other supplies to be used for the official business of the 114th Session of the General Assembly of the State of Delaware.

Section 2. That the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps and other supplies out of said appropriation upon warrants approved by the State Librarian.

Approved January 21, 1947.

CHAPTER 327

SENATE JOINT RESOLUTION

**APPOINTING DIRECTORS ON THE PART OF THE STATE
FOR THE FARMERS BANK OF THE STATE OF DELA-
WARE.**

BE IT RESOLVED by the Senate and House of Representatives of the State of Delaware, in General Assembly met:

That William D. Denney, Frank R. Manahan and Henry V. P. Wilson, be and they are hereby appointed Directors, on the part of the State, of The Farmers Bank of the State of Delaware at Dover; and that Aaron Finger, John F. Porter and Pierre S. duPont III, be and they are hereby appointed Directors, on the part of the State, of The Farmers Bank of the State of Delaware for the Branch at Wilmington; and that William A. B. Dodd, John G. Townsend, Jr. and J. Edward Goslee, be and they are hereby appointed Directors, on the part of the State, of The Farmers Bank of the State of Delaware for the Branch at Georgetown.

Approved February 14, 1947.

CHAPTER 328

SENATE JOINT RESOLUTION

**AUTHORIZING THE STATE TREASURER TO REDEEM AN
OUT-DATED CHECK ISSUED BY A FORMER TREA-
SURER OF DELAWARE ON APRIL 3, 1929, AND TO
ISSUE A NEW CHECK IN LIEU THEREOF.**

WHEREAS, the State Treasurer of the State of Delaware on April 3, 1929, issued a check No. 14783 for the sum of One Hundred Dollars (\$100.00) in payment of certain land condemned for state purposes and payable to the order of Walter C. Hyland at the Farmers Bank, Dover, Delaware, and delivered the said check to the said Walter C. Hyland; and

WHEREAS, certain repairs were to be made to a fence belonging to the said Walter C. Hyland by state authorities and the said Walter C. Hyland did not present for payment the check not cashed pending repair of the said fence; and

WHEREAS, the matter concerning the fence was never adjusted, and the check never presented for payment until a recent date when payment was refused because of the date of the check, Now, Therefore,

BE IT RESOLVED *by the Senate and the House of Representatives concurring therein:*

Section 1. That the present State Treasurer, on presentation of the said out-dated check for cancellation, be and he is hereby authorized and directed to pay to the said Walter C. Hyland the holder of said check, the sum of One Hundred Dollars (\$100.00), being the amount of said out-dated check.

Section 2. That this Joint Resolution shall be taken and deemed to be in the nature of a Supplementary Appropriation Act, and the money hereby authorized to be paid shall be paid out of the General Fund of the State Treasury, not otherwise appropriated.

Approved March 24, 1947.

CHAPTER 329

SENATE JOINT RESOLUTION

**APPROPRIATING MONEYS TO PAY CERTAIN CLAIMS
RELATING TO THE EXPENSES OF THE SUPREME
COURT.**

BE IT RESOLVED by the Senate of the State of Delaware, the House of Representatives concurring therein:

That the following amounts be and they are hereby appropriated out of the General Fund for the payment of certain claims against the State of Delaware for supplies and services rendered the Supreme Court:

| | |
|---|----------|
| Oliver C. Hayes, Court Crier | \$200.00 |
| John E. Teat, Bailiff | \$200.00 |
| Joseph George, Bailiff | \$200.00 |
| John B. Satterfield, Page | \$140.00 |
| James Thorpe, Janitor | \$150.00 |
| Albert Fisher, Janitor | \$ 50.00 |
| Fred M. Williams, Sheriff | \$200.00 |
| William Murphy's & Son, Ledger | \$ 53.48 |
| W. Marion Stevenson, Stamps, Postage, Envelopes | \$ 15.50 |
| To Court in the case of State of Delaware vs. | |
| Ivan Culbertson for disbarment proceedings..... | \$346.95 |
| Delaware State News, Printing, Envelopes | \$249.00 |

Approved April 2, 1947.

CHAPTER 330

SENATE CONCURRENT RESOLUTION

**APPROPRIATING MONEY TO REIMBURSE THE OFFICE
OF THE SECRETARY OF STATE FOR POSTAGE USED
FOR THE JOINT LEGISLATIVE BUDGET COMMITTEE.**

That there is hereby appropriated to the Secretary of State the sum of Fifty-two Dollars and forty-one cents (\$52.41) to reimburse said official for funds expended for postage to carry out the work of the Joint Legislative Budget Committee.

WHEREAS, The Secretary of State as a convenience expended out of the funds of his office the sum of Fifty-two Dollars and forty-one cents (\$52.41) for mailing out notices of the Joint Legislative Budget Committee, being notices necessary in the work of said Committee, Now, Therefore,

BE IT RESOLVED *by the Senate of the 114th General Assembly, the House of Representatives concurring*, that the sum of Fifty-two Dollars and forty-one cents (\$52.41) is hereby appropriated to the Secretary of State to reimburse said official for expenditures made by him for mailing literature and notices for the Joint Legislative Budget Committee, said mailing being a necessary expense connected with the present Session of the 114th General Assembly.

That the money hereby appropriated shall be available to the Secretary of State and shall be paid out by the State Treasurer upon proper vouchers submitted by said official.

Approved February 3, 1947.

CHAPTER 331

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE APPOINTMENT OF A JOINT COMMITTEE TO NOTIFY THE GOVERNOR THAT THE GENERAL ASSEMBLY IS DULY ORGANIZED.

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein*, that a Joint Committee consisting of two members of the Senate and two members of the House of Representatives be appointed by the presiding officers of the respective Houses to notify the Governor that the General Assembly is duly organized and ready to receive any message that he may have to offer.

Approved February 18, 1947.

CHAPTER 332

SENATE CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION TO HEAR THE MESSAGE OF THE GOVERNOR.

BE IT RESOLVED *by the Senate of the 114th General Assembly, the House of Representatives concurring therein*, that both Houses of the General Assembly shall meet in Joint Session on Wednesday, January 8th, at 12:00 Noon for the purpose of hearing any message which the Governor may wish to send to them.

Approved February 18, 1947.

CHAPTER 333

SENATE CONCURRENT RESOLUTION

**DIRECTING THE APPOINTMENT OF A COMMITTEE TO
ARRANGE A SUITABLE PROGRAM FOR THE OB-
SERVANCE OF WASHINGTON'S BIRTHDAY.**

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein*, that the President of the Senate and the Speaker of the House of Representatives of the 114th General Assembly be and they hereby are authorized and directed to appoint three members from their respective houses to constitute a Joint Committee to arrange a suitable program for the observance of Washington's Birthday.

Approved February 18, 1947.

CHAPTER 332

SENATE CONCURRENT RESOLUTION

PROVIDING FOR A JOINT SESSION TO HEAR THE MESSAGE OF THE GOVERNOR.

BE IT RESOLVED *by the Senate of the 114th General Assembly, the House of Representatives concurring therein*, that both Houses of the General Assembly shall meet in Joint Session on Wednesday, January 8th, at 12:00 Noon for the purpose of hearing any message which the Governor may wish to send to them.

Approved February 18, 1947.

CHAPTER 333

SENATE CONCURRENT RESOLUTION

**DIRECTING THE APPOINTMENT OF A COMMITTEE TO
ARRANGE A SUITABLE PROGRAM FOR THE OB-
SERVANCE OF WASHINGTON'S BIRTHDAY.**

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein*, that the President of the Senate and the Speaker of the House of Representatives of the 114th General Assembly be and they hereby are authorized and directed to appoint three members from their respective houses to constitute a Joint Committee to arrange a suitable program for the observance of Washington's Birthday.

Approved February 18, 1947.

CHAPTER 334

SENATE CONCURRENT RESOLUTION

**PROVIDING FOR A JOINT COMMITTEE OF THE SENATE
AND HOUSE TO CONSIDER A DATE AS DEADLINE
FOR INTRODUCING BILLS.**

BE IT RESOLVED *by the Senate, the House of Representatives concurring therein*, that the appointment of a Joint Committee is hereby authorized to consist of three (3) members of the Senate and three (3) members of the House; the Senate members to consist of the President Pro Tem and two (2) members to be appointed by the President Pro Tem; the House members to consist of the Speaker and two (2) members to be appointed by the Speaker; the said Joint Committee to consider fixing a date as a deadline for introducing new bills.

Approved February 18, 1947.

CHAPTER 335

SENATE CONCURRENT RESOLUTION

**EXPRESSING APPRECIATION TO THOSE WHO ASSISTED
IN THE PROGRAM COMMEMORATING THE BIRTH-
DAY OF ABRAHAM LINCOLN.**

WHEREAS, in accordance with custom, the two Houses of the 114th General Assembly met in Joint Session on the 12th day of February, 1947, to commemorate the Birthday of Abraham Lincoln; and

WHEREAS, the program arranged for the occasion was greatly enjoyed by those who attended, and many individual comments have been heard giving expression to such sentiment; Now, Therefore,

BE IT RESOLVED *by the Senate of the 114th General Assembly, the House of Representative concurring*, that the appreciation of the General Assembly is expressed to all those who participated and contributed to a successful occasion—

To Mr. Harley Hastings and through him to each member of the band of the Caesar Rodney High School, for their musical renditions;

To Dr. O. A. Bartley, President of Wesley Junior College, for his excellent address;

To the members of the Glee Club of Delaware State College and to Mrs. Genevieve Wisner, who directed them, for their splendid vocal selections; and

To the members of the Joint Committee who arranged the program for the Anniversary of Lincoln's Birthday.

Approved February 27, 1947.

CHAPTER 336

SENATE CONCURRENT RESOLUTION

**PROVIDING FOR ADJOURNMENT OF THE SENATE AND
THE HOUSE OF REPRESENTATIVES UNTIL WEDNES-
DAY, FEBRUARY 26, 1947.**

BE IT RESOLVED, *by the Senate, the House of Representatives concurring therein*, that when the Senate and the House of Representatives of the 114th General Assembly of the State of Delaware complete their respective legislative sessions on the twenty-first (21st) day of February, A. D. 1947, the same being the thirty-fourth legislative day, both Houses of the General Assembly shall stand adjourned until Wednesday, the twenty-sixth (26th) day of February, A. D. 1947 at twelve o'clock noon.

Approved February 27, 1947.

CHAPTER 337

SENATE CONCURRENT RESOLUTION

APPROPRIATING MONEY TO PAY FOR CERTAIN SUPPLIES NEEDED AND USED FOR THE 114TH GENERAL ASSEMBLY.

BE IT RESOLVED by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the sum of Twelve Hundred Forty-six Dollars and Eleven Cents (\$1246.11) be and the same is hereby appropriated out of the General Fund in the Treasury of the State of Delaware in payment for supplies and equipment needed for the official business of the 114th Session of the General Assembly of the State of Delaware.

That the money hereby appropriated is for the payment of accounts as follows:

| | |
|--|-----------------|
| Remington Rand, Inc. 465 Washington Street Buffalo 5, New York | |
| 6 Standard Typewriters | \$727.80 |
| Whelan's Legion Building Dover, Delaware | |
| Repairs to 6 Noiseless typewriters to put them in condition for use during the Session | 105.31 |
| Geo. D. Hanby Co. 919 Market St. Wilmington, Delaware | |
| 134,000 sheets Ditto or duplicating paper | 413.00 |
| | <hr/> \$1246.11 |

That the State Treasurer of the State of Delaware is hereby authorized and directed to pay the bills listed herein out of the appropriation named in Paragraph 1 hereof upon warrants approved by the State Librarian.

Approved March 7, 1947.

CHAPTER 338

SENATE CONCURRENT RESOLUTION

**EXPRESSING APPRECIATION TO JOHN G. LEACH FOR
HIS ADDRESS COMMEMORATING WASHINGTON'S
BIRTHDAY.**

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein*, that the thanks of the General Assembly is hereby extended to John G. Leach of Wilmington, Delaware, for the very excellent address delivered by him before the Joint Session of the Senate and House of Representatives on Friday, the Twenty-first day of February, A. D. 1947 in commemoration of Washington's Birthday.

Approved March 7, 1947.

CHAPTER 339

SENATE CONCURRENT RESOLUTION

PROVIDING FOR A STUDY OF THE PUBLIC SCHOOL SYSTEM OF THE STATE.

WHEREAS, pursuant to a Concurrent Resolution adopted by the General Assembly of the State of Delaware at its 1945 Regular Session provision was made for the appointment by the Governor of a bi-partisan commission to study the Public School Educational System of the State; and

WHEREAS, such a Commission was duly appointed by the Governor, and professional assistance was engaged by the Commission to assist it in its study of the school system of the State; and

WHEREAS, the voluminous working records of those who have participated in the study have been available to the Commission for such a very limited period that the Commission has been unable to digest all of the material available for its study, and it is therefore believed that additional time should be devoted to the study of the school system of the State in order that practical recommendations for solution may be made to the Governor and to the 115th General Assembly; Now, Therefore,

BE IT RESOLVED *by the Senate of the 114th General Assembly, the House of Representatives concurring*, that within thirty (30) days after the passage and approval of this Resolution the Governor be authorized and directed to appoint a bi-partisan Commission of ten (10) competent persons to continue the study of the Public School Educational System in the State and to report to the Governor not later than December 1, 1948, and to make available to the 115th General Assembly the results of its study and recommendations not later than February 1, 1949; and

BE IT FURTHER RESOLVED that the records and working papers of the Commission appointed pursuant to the Concurrent Resolution adopted at the General Assembly of 1945 be made available for the use and study of the Commission authorized by this Resolution;

SENATE CONCURRENT RESOLUTION

That the Commission hereby created be guided by the same objectives as set forth in the Resolution authorizing the appointment of the Commission which has been studying the school system for the years 1945-46, and as set forth in Chapter 330, Volume 45, Laws of Delaware, 1945;

That the sum of Two Thousand Dollars (\$2,000.00) be and the same is hereby appropriated to the Commission herein created out of any funds in the State Treasury not otherwise appropriated for the purposes of this Resolution;

That the members of the Commission shall be reimbursed for all necessary travel and other expenses incurred in carrying out the duties herein authorized, such expenses to be paid by the State Treasurer upon warrants approved by the Chairman and the Secretary of the Commission; and

That this Resolution shall be in the nature of a Supplementary Appropriation Bill and that the funds hereby appropriated shall be paid by the State Treasurer out of the General Fund of the State.

Approved March 27, 1947.

CHAPTER 340

SENATE CONCURRENT RESOLUTION

**REQUESTING RETURN OF SENATE BILL NO. 97 FROM
THE GOVERNOR.**

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein,* that the Governor be requested to return to the Senate, Senate Bill No. 97.

Approved March 27, 1947.

CHAPTER 341

SENATE CONCURRENT RESOLUTION

IN REFERENCE TO ADJOURNMENT SINE DIE.

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein*, that at the close of the 60th Legislative Day of the 114th General Assembly of the State of Delaware both houses of the said General Assembly shall adjourn sine die.

Approved March 27, 1947.

CHAPTER 342

SENATE CONCURRENT RESOLUTION

APPROPRIATING MONEY TO PAY FOR CERTAIN SUPPLIES NEEDED AND USED FOR THE 114TH GENERAL ASSEMBLY.

BE IT RESOLVED by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the sum of Three Hundred and Eighty Dollars (\$380.00) be and the same is hereby appropriated out of the General Fund in the Treasury of the State of Delaware in payment for Ditto paper and supplies needed for the official business of the 114th Session of the General Assembly of the State of Delaware.

That the money hereby appropriated is for the payment of account as follows:

Geo. D. Hanby Co.

919 Market Street

Wilmington, Delaware

165 Reams Ditto Paper \$330.00

8 Boxes Master Paper 50.00

\$380.00

That the State Treasurer of the State of Delaware is hereby authorized and directed to pay the bill listed herein out of the appropriation named in Paragraph 1 hereof upon warrants approved by the State Librarian.

Approved April 2, 1947.

CHAPTER 343

SENATE CONCURRENT RESOLUTION

**WITH REFERENCE TO THE REMOVAL FROM OFFICE OF
COLONEL PAUL W. HAVILAND, SUPERINTENDENT
OF THE DELAWARE STATE POLICE.**

WHEREAS, both Houses of the 114th General Assembly of the State of Delaware passed by overwhelming majorities Senate Bill No. 124, making provision for State Police Stations in the State; and

WHEREAS, said Bill has received the approval of the Governor and is now a law; and

WHEREAS, it was the intent of Senate Bill No. 124 and so understood by the members of the General Assembly that at least five State Police Stations should be maintained in Delaware and that they should have assigned to each of them a force of State Police sufficient to be able to respond promptly to calls from all parts of Delaware for the suppression of acts of violence and for the enforcement of the laws of the State; and

WHEREAS, the press of the State has published notice purporting to come from the said Colonel Paul W. Haviland, Superintendent of the Delaware State Police, that at least two of the five State Police Stations authorized by Senate Bill No. 124 will not be fully staffed with members of the State Police force but will have assigned to them only a skeleton force entirely insufficient to operate said stations as the General Assembly intended that they should be operated when Senate Bill No. 124 was enacted; and

WHEREAS, the quoted announcement further gave notice that at least two of the five Police Stations in the State would be considered only as sub-stations and that the radio equipment to be supplied to some of the five stations would not be of a type adequate to make the work of such stations fully effective for police work on a par with the other Police Stations in the State now operated and maintained; and

SENATE CONCURRENT RESOLUTION

WHEREAS, the announced policy for State Police Stations following the passage of Senate Bill No. 124 indicates that such action as is contemplated regarding them will constitute only a token compliance with the spirit and purpose of Senate Bill No. 124; and

WHEREAS, the announced plans for at least two of the authorized State Police Stations in the State constitute a defiance of the legislative intent and is not for the best interests of the State of Delaware; Now, Therefore,

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein* that it is the sense of the General Assembly that the said Colonel Paul W. Haviland, Superintendent of the Delaware State Police, should be removed from the position he holds as such Colonel and Superintendent, and the General Assembly calls upon the State Highway Department of the State to accomplish his removal therefrom by the first day of May, A. D. 1947.

Approved April 2, 1947.

CHAPTER 344

SENATE CONCURRENT RESOLUTION

**MAKING AN APPROPRIATION TO THE STATE LIBRARIAN
TO PAY FOR SUPPLIES NECESSARY FOR THE WORK
OF THE 114TH GENERAL ASSEMBLY.**

*BE IT RESOLVED by the Senate of the State of Delaware
the House of Representatives concurring therein:*

Section 1. That the sum of Twelve Hundred Forty-Eight Dollars and Seventy-Two Cents (\$1248.72) be and the same is hereby appropriated out of the General Fund in the Treasury of the State of Delaware to pay for stationery and supplies used by the various officers and attaches of the General Assembly and for miscellaneous supplies supplied to members and attaches on their respective stationery and supply accounts, all of said supplies and stationery being necessary in the conduct of the official business of the 114th Session of the General Assembly of the State of Delaware.

Section 2. That the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such stationery and other supplies out of said appropriation upon warrants approved by the State Librarian.

Approved April 10, 1947.

CHAPTER 345

SENATE CONCURRENT RESOLUTION

MAKING AN APPROPRIATION FOR EXPENSE IN CONNECTION WITH THE WORK OF THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

BE IT RESOLVED *by the Senate of the 114th General Assembly of the State of Delaware, the House of Representatives concurring therein* that the sum of Six Hundred Dollars (\$600.00) is hereby appropriated to pay Isabel S. Sypherd for services rendered during the entire regular session of the 114th General Assembly as supply room clerk, the same being expense connected with the work of the General Assembly, and that the State Treasurer be and he is hereby authorized and directed to pay to her the said amount out of any money in the General Treasury not otherwise appropriated, this Resolution being in the nature of a Supplementary Appropriation Bill.

Approved April 10, 1947.

CHAPTER 346

SENATE CONCURRENT RESOLUTION

**MAKING AN APPROPRIATION FOR SERVICE RENDERED
TO THE STATE.**

BE IT RESOLVED *by the Senate of the 114th Session of the General Assembly of the State of Delaware, the House of Representatives concurring*, that the sum of One Thousand Dollars (\$1,000.00) is hereby appropriated to Miss Lulu Butz for service rendered to the State of Delaware in the office of the Insurance Commissioner for a period of twenty-one months immediately prior to the first day of February, A. D. 1947, and for which service no compensation has been made, and the State Treasurer is hereby authorized and directed to pay the sum so appropriated upon a proper voucher signed by the Insurance Commissioner of the State.

Approved April 10, 1947.

CHAPTER 347

SENATE CONCURRENT RESOLUTION

**AUTHORIZING THE GOVERNOR TO APPOINT A POET
LAUREATE FOR THE STATE OF DELAWARE.**

BE IT RESOLVED *by the Senate of the 114th Session of the General Assembly of the State of Delaware, the House of Representatives concurring therein* that the Governor of the State of Delaware is authorized and directed to appoint within thirty days after the passage and approval hereof a Poet Laureate for the State of Delaware for the remainder of the calendar year 1947, and that on the first day of January, A. D. 1948, and annually on that date thereafter, the Governor is hereby authorized and directed to appoint a Poet Laureate for the State for a term of one year.

Approved April 28, 1947.

CHAPTER 348

SENATE CONCURRENT RESOLUTION

**AUTHORIZING AND DIRECTING THE SECRETARY OF
THE SENATE AND THE CHIEF CLERK OF THE HOUSE
TO DEPOSIT CERTAIN SENATE AND HOUSE
RECORDS WITH THE PUBLIC ARCHIVES COMMISSION FOR PRESERVATION.**

BE IT RESOLVED *by the Senate of the 114th Session of the General Assembly of the State of Delaware, the House of Representatives thereof concurring therein*, that the records of the Senate and of the House of Representatives in the possession of the Secretary of the Senate and of the Chief Clerk of the House and used by such officers for the preparation of the Journals of the two Houses of the General Assembly, and consisting of reports of committees, petitions, communications, action on Bills and Resolutions, and other papers and records, be deposited with the Public Archives Commission of the State of Delaware for preservation, after such papers and records are no longer needed by the officers named for the preparation and publication of the Journals of the respective Houses; and

BE IT FURTHER RESOLVED that the Public Archives Commission preserve such records which are deposited in accordance with this Resolution and keep the same available for examination by the citizens of the State.

Approved April 28, 1947.

CHAPTER 349

SENATE CONCURRENT RESOLUTION

**PROVIDING FOR A STUDY OF THE CLASSIFICATION AND
COMPENSATION OF POSITIONS IN THE STATE SER-
VICE.**

WHEREAS, there are problems arising in the state service by reason of different salary schedules for employees in different offices and doing comparable work; and

WHEREAS, a higher level of employee morale and increased efficiency would result from a classification system that would grade positions and provide comparable pay to persons doing work of the same grade although in different offices; and

WHEREAS, the provisions of the Delaware State Employees Pension Act could no doubt be much more satisfactorily and fairly administered in conjunction with a classification law because employees holding comparable positions in this State not only should receive comparable pay during the period of service required for retirement but should also receive comparable benefits under the provisions of the Act; and

WHEREAS, many states of the United States have some system of personnel classification, the system in some states having been in operation over a period of years; and

WHEREAS, there are many factors to consider and much information to gather and digest in order to properly and fairly classify the various positions in the state service; and

WHEREAS, the subject is of such importance and extent that time must be devoted to its study if recommendations concerning it are to have authority; and

WHEREAS, the creation of a Commission to study the subject and to make recommendations to the Governor and the 115th General Assembly seems to be the best method of reviewing the available information upon the subject and developing recommendations for further study and possible action; Now, Therefore,

SENATE CONCURRENT RESOLUTION

BE IT RESOLVED *by the Senate of the 114th General Assembly, the House of Representatives concurring therein*, that within thirty (30) days after the passage and approval of this Resolution the Governor be authorized and directed to appoint a Commission of such number of persons as he may deem advisable to study the matter of personnel classification of state employees, the standardization of certain state positions, the determination of standards of efficient service and the determination of the grades of certain positions required to be filled in the service of the state; and

BE IT FURTHER RESOLVED that the Commission so appointed report its findings and recommendations to the Governor of the State not later than December 1, 1948, and that it make available to the 115th General Assembly the results of its study and recommendations not later than the first day of February, A. D. 1949;

That the sum of Two Thousand Five Hundred Dollars (\$2,500.00) be and the same is hereby appropriated to the Commission herein created for the purpose of this Resolution, and that said sum be paid out of any funds in the State Treasury not otherwise appropriated;

That the members of the Commission shall be reimbursed for all necessary travel and other expenses incurred in carrying out the duties herein authorized, such expenses to be paid by the State Treasurer upon warrants approved by the Chairman and the Secretary of the Commission; and

That this Resolution shall be in the nature of a Supplementary Appropriation Bill and that the funds hereby appropriated shall be paid by the State Treasurer out of the General Fund of the State.

Approved April 28, 1947.

CHAPTER 350

HOUSE JOINT RESOLUTION

APPOINTING A BILL CLERK FOR THE HOUSE OF REPRESENTATIVES AND A BILL CLERK FOR THE SENATE.

BE IT RESOLVED *by the House of Representatives and the Senate of the 114th Session of the General Assembly of the State of Delaware*, That James T. Moore be and he is hereby appointed Bill Clerk for the House of Representatives, to serve during the present session of the House of Representatives; and Lucinda M. Vickars be and she is hereby appointed Bill Clerk for the Senate, to serve during the present session of the Senate, in accordance with 337 Section 1 of Chapter 10 of the Revised Code of Delaware, 1935.

Approved January 27, 1947.

CHAPTER 351

HOUSE CONCURRENT RESOLUTION

**DIRECTING THE APPOINTMENT OF A JOINT COMMITTEE
TO ARRANGE FOR A SUITABLE PROGRAM FOR OB-
SERVANCE OF LINCOLN'S BIRTHDAY.**

*BE IT RESOLVED by the House of Representatives of
the 114th General Assembly of the State of Delaware, the Senate
concurring therein;*

That the Speaker of the House of Representatives and the President of the Senate of the 114th General Assembly, be and they are hereby authorized and directed to appoint three members from their respective houses to constitute a joint committee to arrange for a suitable program for the observance of Lincoln's Birthday.

Approved January 29, 1947.

CHAPTER 352

HOUSE CONCURRENT RESOLUTION

RELATING TO PROGRAM FOR OBSERVANCE OF LINCOLN'S BIRTHDAY.

BE IT RESOLVED *by the House of Representatives of the 114th General Assembly of the State of Delaware, the Senate concurring therein:*

That the program for observance of Lincoln's Birthday by the 114th General Assembly of the State of Delaware shall be held in the Senate Chamber on Wednesday, February 12, 1947, commencing at 2:30 o'clock P. M.

Approved February 14, 1947.

CHAPTER. 353

HOUSE CONCURRENT RESOLUTION

PROVIDING FOR PUBLICATION OF THE NAMES OF ALL TEACHERS, PRINCIPALS AND SUPERINTENDENTS IN THE PUBLIC SCHOOLS OF THE STATE OF DELAWARE, THE SALARIES PRESENTLY RECEIVED BY EACH OF THEM AND THE SALARIES PROPOSED FOR EACH OF THEM UNDER SENATE BILL NO. 163.

BE IT RESOLVED by the House of Representatives of the 114th General Assembly of the State of Delaware, the Senate concurring therein:

THAT the names of all teachers, principals and superintendents in the public schools of the State of Delaware, together with the salaries each one presently receives and the salaries proposed for all such teachers, principals and superintendents under the provisions of Senate Bill No. 163, which passed the State Senate on February 18, 1947, and in the House of Representatives for consideration, shall be made public; and

THAT there shall also be shown in such publication the increase provided in the proposed bill over present salaries for each such teacher, principal and superintendent in the public schools of the State;

THAT the Clerk of the House and the Secretary of the Senate shall together prepare the material for publication in the press of the State and make all arrangements for such publication; and,

THAT such publication shall be had in a newspaper or newspapers having general circulation throughout the State of Delaware; and,

THAT this Resolution shall be considered in the nature of a supplementary appropriation bill and the funds hereby appropriated shall be paid out of the General Fund of the State Treasury not otherwise appropriated.

Approved February 28, 1947.

CHAPTER 354

HOUSE CONCURRENT RESOLUTION

**PROVIDING FOR A JOINT SESSION TO ATTEND THE
EXERCISES ARRANGED IN COMMEMORATION OF
THE BIRTHDAY ANNIVERSARY OF GEORGE WASH-
INGTON.**

BE IT RESOLVED *by the House of Representatives of
the 114th General Assembly, The Senate concurring therein*, that
both Houses of the General Assembly shall meet in joint session
on Friday, February 21, 1947, at 2:30 o'clock P. M., for the
purpose of attending the exercises and hearing the program
arranged by a Joint Committee of the House of Representatives
and the Senate in commemoration of the birthday anniversary
of George Washington.

Approved February 28, 1947.

CHAPTER 355

HOUSE CONCURRENT RESOLUTION

**FIXING THE TIME AFTER WHICH NO NEW BILLS OR
JOINT RESOLUTIONS SHALL BE RECEIVED BY
EITHER HOUSE, EXCEPT GENERAL APPROPRIATION
BILLS.**

BE IT RESOLVED *by the House of Representatives, the Senate concurring therein,* That no bills or joint resolutions, except General Appropriation Bills, shall be received by the Senate or House of Representatives at this 114th General Assembly of the State of Delaware after the close of the thirty-seventh (37th) Legislative Day.

Approved February 28, 1947.

CHAPTER 356

HOUSE CONCURRENT RESOLUTION

**APPROPRIATION FOR POSTAGE STAMPS AND OTHER
SUPPLIES FOR THE 114TH GENERAL ASSEMBLY.**

BE IT RESOLVED *by the House of Representatives, the Senate concurring therein*, that the sum of Three Thousand Dollars (\$3,000.00) be and the same is hereby appropriated out of the General Fund of the Treasury of the State of Delaware for the purchase of postage stamps and other supplies to be used for the official business of the 114th Session of the General Assembly of the State of Delaware.

FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps and other supplies out of said appropriation upon warrants approved by the State Librarian.

Approved March 24, 1947.

CHAPTER 357

HOUSE CONCURRENT RESOLUTION

PAYING CERTAIN EXPENSES OF THE 114TH GENERAL
ASSEMBLY.

BE IT RESOLVED by the House of Representatives of the 114th General Assembly of the State of Delaware the Senate concurring therein:

THAT the following amount be and the same is appropriated out of any money in the State Treasury, not otherwise appropriated, for engraving work upon certificates for members of the House and the Senate:

Herbert L. Renner
1921 69th Avenue
North Philadelphia
Pennsylvania \$162.00

Approved April 3, 1947.

CHAPTER 358

HOUSE CONCURRENT RESOLUTION

APPROPRIATING MONEY TO PAY THE COST OF PUBLICATIONS AUTHORIZED BY HOUSE CONCURRENT RESOLUTION NO. 3.

BE IT RESOLVED *by the House of Representatives of the State of Delaware, the Senate concurring therein*, that the sum of One Thousand Three Hundred and Six Dollars (\$1,306.00) is hereby appropriated out of the General Fund of the State Treasury for the payment of bills presented for publications authorized by House Concurrent Resolution No. 3.

The State Treasurer is directed to pay to the following named newspapers the amounts set opposite the respective names, the appropriation herein made being for expenses connected with the present Session of the General Assembly.

| | |
|--|----------|
| The News-Journal Company, Wilmington | \$522.40 |
| The Sussex Countian, Georgetown | \$261.20 |
| Milford Chronicle Publishing Company | \$261.20 |
| Delaware State News, Dover | \$261.20 |

| | |
|-------------|-------------------|
| TOTAL | <u>\$1,306.00</u> |
|-------------|-------------------|

Approved April 3, 1947.

CHAPTER 359

HOUSE CONCURRENT RESOLUTION

**RELATIVE TO THE PROPOSED AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES RELATING
TO THE TERMS OF OFFICE OF THE PRESIDENT.**

WHEREAS, at the First Session of the 80th Congress of the United States, begun and held at the City of Washington on Friday, the 3rd day of January, 1947, it was resolved by the Senate and House of Representatives of the United States in Congress assembled (two-thirds of each House concurring therein), that the following Article be proposed as an amendment to the Constitution of the United States, which, when ratified by the Legislatures of three-fourths of the several States, shall be valid to all intents and purposes as part of the said Constitution, viz:-

"ARTICLE

"Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

"Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

THEREFORE, BE IT RESOLVED *by the House of Representatives of the State of Delaware, (the Senate concurring therein):*

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is

HOUSE CONCURRENT RESOLUTION

hereby, ratified by the General Assembly of the State of Delaware and shall be to all intents and purposes a part of the Constitution of the United States.

Section 2. That certified copies of this preamble and concurrent resolution be forwarded by the Governor of this State to the Secretary of State of the United States, and to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

Section 3. That the Secretary of the Senate and the Clerk of the House of Representatives be, and are hereby directed, to deliver to the said Governor a certified copy of this resolution at their earliest convenience.

Approved April 8, 1947.

Proclamation

CHAPTER 360

STATE OF DELAWARE EXECUTIVE DEPARTMENT

PROCLAMATION

In the interest of returning veterans, and in order to make more effective within the State of Delaware the provisions of—

- (a) The Selective Training and Service Act of 1940 (Act of September 16, 1940, Public Act #783, 76th Congress, 54 Stat. 885, as amended to date being title 50 U. S. Code, War Appendix, Sections 301-318),
- (b) The Public Law 346, 78th Congress, approved June 22, 1944, commonly known and referred to as the "G. I. Bill of Rights", and
- (c) Any and all Federal laws amendatory thereof and/or supplementary thereto and/or any executive orders of the President of the United States,

there is hereby created and established the Office of "Coordinating Administrator" of the State of Delaware for the purpose of supervising the Veterans' Assistance Program; and

In order that the purposes of the Veterans' Assistance Program may be carried out, and the coordination, cooperation and elimination of overlapping functions and activities of Federal, State and Local organizations may be effected within the State of Delaware;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby appoint Colonel A. W. Foreman, United States Army, State Director of Selective Service, the "Coordinating Administrator" for the State of Delaware in the

PROCLAMATION

development of the "Veterans' Assistance Program", and in the exercise of his duties it is my earnest hope that channels may be established through which understanding, full cooperation and teamwork between Federal, State and Local agencies may be achieved for the common good in meeting the vital requirements of all returning veterans.

IN WITNESS WHEREOF, I have hereunto set my hand,
(GREAT SEAL) and affixed the Great Seal of the State of Delaware, at Dover, this twenty-eighth day of February, in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America, the one hundred and sixty-ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 361

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Thursday, March 29, 1945, will mark the three hundred and seventh anniversary of settlement and establishment of the Colony of New Sweden in 1638 at "The Rocks" now enshrined in Fort Christina State Park in the City of Wilmington; and

WHEREAS, Fort Christina, founded under the leadership of the intrepid Peter Minuit, became the seat of the first permanent settlement in the State of Delaware and in the Delaware River Valley as well, and marked the introduction of government, religion, education, agriculture, commerce, and industry in our State; and

WHEREAS, the General Assembly of the State of Delaware passed a resolution directing the Governor to proclaim March 29 of each year as Delaware Swedish Colonial Day in cognizance of these contributions; and

WHEREAS, it is fitting and proper that this recurring anniversary of the founding of the first permanent settlement upon the soil of Delaware be commemorated by appropriate observances and exercises,

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim Thursday, March 29, 1945, as

DELAWARE SWEDISH COLONIAL DAY

and request that this day be observed in schools, churches, patriotic and historical societies, and other institutions and organizations with appropriate ceremonies, and that State, county,

PROCLAMATION

city and town governments display on that day the flags of the United States and of the State of Delaware, and that the flags of the United States and the Kingdom of Sweden be flown in Fort Christina State Park.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal to be hereunto
affixed this twenty-second day of March, in the
(GREAT SEAL) year of our Lord one thousand nine hundred and
forty-five and of the Independence of the United
States of America, the one hundred and sixty-
ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 362

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the necessity of preserving our wild flowers, forests and other natural landscape values, requires the utmost care; and

WHEREAS, our scenic resources and the State's bird life can best be protected and perpetuated by the preservation of our natural landscape values and by laying emphasis upon, and stressing the importance of, their protection from the many kinds of destruction; and

WHEREAS, it is realized that one of the best ways possible to accomplish this end is through the education of our youth in the schools of our State,

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in compliance with Section 2895 of the Revised Code of Delaware, 1935, do hereby designate and proclaim

FRIDAY, APRIL 13TH, 1945

AS

ARBOR AND BIRD DAY

and urge, in the interests of reforestation, conservation of natural resources and the creation of beauty and shade in our municipalities and about our urban and rural homes, that all public and private schools and institutions of learning observe by planting trees, with appropriate exercises, and I further urge that Arbor culture and the protection of birds and trees be given serious consideration by all the citizens of the State of Delaware.

PROCLAMATION

IN TESTIMONY WHEREOF, I have hereunto set my hand
and caused the Great Seal of Delaware to be
(GREAT SEAL) hereunto affixed this second day of April in the
year of our Lord one thousand nine hundred and
forty-five, and of the Independence of the United
States of America, the one hundred and sixty-
ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 363
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

A Joint Resolution of Congress approved May 8, 1914, designated the second Sunday in May as Mothers' Day. It is a fitting designation, and especially so this year.

We are all aware of the added strains which our war effort has imposed on the home. The difficulties facing the home are perhaps not to be compared with those of the fighting fronts. They are, nevertheless, real. Those who have been left behind have had to do much more with much less.

The focal figure in this new situation has been Mother. She has had her share of the load to carry, and often more. It is proper, therefore, that on this day of remembrance we should recognize her magnificent response to this challenge. Let us thank God for the devotion of the nation's Mothers.

NOW, THEREFORE, I, Walter W. Bacon, by virtue of authority vested in me as Governor of Delaware, do hereby designate and proclaim

SUNDAY, MAY 13, 1945

AS

MOTHERS' DAY

in the State of Delaware and urge observance of this day by all of our citizens by attending and participating in exercises in our churches, our homes, and other proper places, in memory of Mothers everywhere, and I request that the flags of our nation and state be displayed in suitable places as a further expression of love and affection for our Mothers.

PROCLAMATION

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal to be hereunto
(GREAT SEAL) affixed this seventh day of May, in the year of
our Lord one thousand nine hundred and forty-
five and of the Independence of the United States
of America, the one hundred and sixty-ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 364

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

During the past year citizenship has been granted through naturalization to thousands of foreign-born men and women, and a large number of our native-born youth have attained their majority and full citizenship.

These citizens are adding strength to our Republic in its struggle to suppress tyranny and in its endeavor to establish a lasting International peace for the benefit of the peoples of all Nations.

In conformity with the provisions of Public Resolution No. 67 approved May 3, 1940, the President of the United States proclaimed the third Sunday in May as the sixth "I am an American Day" and urged that the day be appropriately observed in honor of these new citizens.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim and set apart Sunday, May 20, 1945 as

"I AM AN AMERICAN DAY"

as a day to pay honor to those who have recently become full fledged members of our Nation, and to reaffirm our allegiance to the principles of American citizenship, and I urge our citizens, our religious institutions and our patriotic and civic organizations, to hold appropriate exercises designed to impress upon those who have recently attained the status of full citizenship the nature of the privileges acquired and the responsibilities assumed in preserving and maintaining the security of our Republic and the advancement of its welfare.

PROCLAMATION

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
to be hereunto affixed, at Dover, this fourteenth
(GREAT SEAL) day of May, in the year of our Lord, one thou-
sand nine hundred and forty-five and of the In-
dependence of the United States of America, the
one hundred and sixty-ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 365
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

PUBLIC PROCLAMATION NO. 3 UNDER THE STATE COUNCIL
OF DEFENSE ACT, AS AMENDED

TO: The People of the State of Delaware

I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim and make known in accordance with the provisions of an Act of the General Assembly, known as the State Council of Defense Act (being Chapter 285, Volume 43 Laws of Delaware, as amended) that the orders, rules, and regulations under Public Proclamation No. 1 duly authorized and approved by the State Council of Defense on the second day of March, A. D. 1943 and under said Act of the General Assembly, as amended, are rescinded effective this date.

Said Public Proclamation No. 1 with the regulations governing dimouts, the control of lighting and radio, the movement of vehicles and other conveyances, and activities of persons during periods of blackout and air raid, and related matters, within the State of Delaware.

Also includes Regulation for Control of Artificial Lighting within the Coastal Dimout Area, being Kent and Sussex Counties, in the State of Delaware.

A copy of this Proclamation shall be displayed for public inspection within the State of Delaware at every Selective Service Local Board, and at every Post Office, Court House, and Town Hall. All newspapers of general circulation within the State of Delaware are requested to give due publicity to this Proclamation. It shall be the duty of every person within the State of Delaware to familiarize himself with the terms of this Proclamation, and the orders, rules and regulations of the State Council of Defense herein set forth.

PROCLAMATION

This Proclamation shall be duly filed with the Secretary of State of the State of Delaware as a public record, and published in accordance with law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be affixed at Dover, this twenty-third day of May, in the year of our Lord One Thousand Nine Hundred and Forty-five and of the Independence of the United States the one hundred and sixty-ninth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 366
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

This year the period between June 10-17 inclusive, has been designated as Flag Week by the United States Flag Association.

We are observing an anniversary of essential importance, for this period embraces June 14, the day upon which the Continental Congress adopted the Flag of the Nation in 1777.

It is particularly fitting this year that all should honor the Flag of our Republic. Through four years of war, the men and women fighting under the American Flag have advanced step by step to victory in Europe, and will march forward to a victorious termination of the war in the Pacific. We at home should keep alive the spirit of love for our Nation's emblem, the Stars and Stripes, by honoring it on Flag Week.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim the period June 10-17, 1945, as

FLAG WEEK

and direct that our National Flag be displayed on all public buildings and all other suitable places during this period. And further, I urge and request that appropriate exercises and celebrations be held throughout the State, and suggest that we re-dedicate ourselves to the principles upon and the purposes for which our Republic was conceived, founded, and developed through the years, and give thanks for the blessings of liberty.

PROCLAMATION

**IN WITNESS WHEREOF, I, Walter W. Bacon, Governor of
the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
to be hereunto affixed, at Dover, this fifth day of
(GREAT SEAL) June in the year of our Lord one thousand nine
hundred and forty-five and of the Independence
of the United States of America, the one hun-
dred and sixty-ninth.**

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 367
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the terms of office of Chief Justice Daniel J. Layton and Associate Judge Charles S. Richards will expire on July 2, A. D. 1945; and

WHEREAS, the Constitution of the State of Delaware provides that if vacancies shall occur among the State Judges by expiration of term or otherwise, when the Senate shall not be in session, the Governor shall within thirty days after the happening of any such vacancies convene the Senate for the purpose of confirming his appointments to fill said vacancies.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in and by virtue of such authority vested in me by the aforesaid Constitution of the State of Delaware, do issue this proclamation convening the Senate of the State of Delaware in Extraordinary Session at Dover, the capital of the said State, on the third day of July, A. D. 1945, at eleven o'clock (eastern war time) to consider and act upon the following business, to wit:

To confirm the appointments which will be made to fill the vacancy in the office of Chief Justice, and in the office of Associate Judge for Sussex County; and

To transact such other executive business as may come before the Senate of the State of Delaware.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed this fifteenth day of June,

PROCLAMATION

(GREAT SEAL) in the year of our Lord, one thousand nine hundred and forty-five and of the Independence of the United States of America the one hundred and sixty-ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 368
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

PUBLIC PROCLAMATION NO. 4 UNDER THE STATE COUNCIL
OF DEFENSE ACT, AS AMENDED

TO: The People of the State of Delaware:

I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim and make known, in accordance with the provisions of an Act of the General Assembly known as the "State Council of Defense Act" (being Chapter 285 of Volume 43 Laws of Delaware, as amended), that the State Council of Defense, heretofore created by Proclamation in accordance with the provisions of said recited Act, shall be and the same hereby is dissolved, effective 12:01 a. m. on the First Day of July, A. D. 1945.

A copy of this Proclamation shall be displayed for public inspection within the State of Delaware at every Selective Service Local Board and at every Post Office, Court House and Town Hall. All newspapers of general circulation within the State of Delaware are requested to give due publicity to this Proclamation.

This Proclamation shall be duly filed with the Secretary of State of the State of Delaware as a public record, and published in accordance with law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be affixed at Dover, this twenty-fifth day of June, in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States the one hundred and sixty-ninth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 369**STATE OF DELAWARE
EXECUTIVE DEPARTMENT****PROCLAMATION**

WHEREAS, fire persists as a most formidable and ruinous enemy on the home front, inflicting during the past year a new high in destruction of property and material and leaving thousands of dead and cruelly injured in its wake; and

WHEREAS, with victory achieved by our armed forces over our enemies around the world, and our industries rapidly converting to peacetime economy, we of Delaware and the nation should hasten to accept with fresh determination the challenge flaunted by the havoc wrought by flame and explosion and do our utmost to frustrate such waste of our resources and avert needless loss of human life; and

WHEREAS, it is deemed incumbent upon all citizens and duly constituted authorities to participate earnestly and with constant vigilance and precaution in an uncompromising fight against fire and its causes, emulating our fighting forces in leaving nothing undone to accomplish a desired objective,

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate and proclaim the week of October 7th to 13th inclusive as

FIRE PREVENTION WEEK

and ask the whole-hearted cooperation of citizens, public authorities, civic bodies, educators, clergymen, the press, and the radio in programs emphasizing the grave menace and costly consequences of uncontrolled fire in the home, on the farm, in industry, and in business, and the dangers inherent in every fire to the persons of our firemen and others.

PROCLAMATION

IN WITNESS WHEREOF, I have hereunto set my hand,
and affixed the Great Seal of the State of Delaware, at Dover, this twenty-seventh day of September, in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America, the one hundred and seventieth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 370

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

The 166th anniversary of the death of Brigadier General Casimir Pulaski will be observed on the eleventh day of October this year.

The gallant deeds of General Pulaski at the seige of Savannah, Georgia will remain an inspiration to the people of America. We are ever mindful of our debt to him for the supreme sacrifice he made in our Nation's fight for freedom.

It is most fitting that we do honor to the memory of this illustrious hero and great friend of America.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the laws of this State do proclaim Thursday, October 11, 1945, as

GENERAL PULASKI'S MEMORIAL DAY

and I urge all Delawareans to honor the member of this great hero of the American Revolutionary War by the holding of appropriate exercises in our churches, schools, service organizations, and other groups, and I request that the American flag be displayed on public buildings and other suitable places.

IN TESTIMONY WHEREOF, I have set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover, this eighth day of
(GREAT SEAL) October in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America the one hundred and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 371
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

October 27th this year marks the 170th anniversary of the date when the Continental Congress was called upon to create and establish a fleet to protect the lives and the property of our Nation.

This day of each year also commemorates the birthday of the late President Theodore Roosevelt, a staunch and stout-hearted American who visualized the need for strong sea power, and who is fondly recognized as the father of our modern Navy.

It is fitting that a Nation of free men and free women give well deserved honor and recognition to the victorious achievements of the mightiest fighting Navy of all times.

"YOUR FLEET GUARANTEES PEACE" is the slogan for Navy Day 1945 and may the American Navy in the days and years to come constitute such a force for good in the world that we shall never again be called upon to sacrifice the lives of the youth of our land in the defense of our liberties and our freedom.

With the approval of the Secretary of War, the Navy League of the United States has designated Saturday, October 27th, 1945 for observance as Navy Day.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim Saturday, October 27th, 1945 as

NAVY DAY

and urge that all Delawareans wherever possible pay tribute to the gallant and heroic men of our Naval Forces by attending and participating in appropriate exercises and ceremonies in observance of this important day. Let us on this day rededicate our-

PROCLAMATION

selves to the principles of freedom and self-government guaranteed by our Constitution and protected by our American Navy, and I request that the flag of our Nation and the flag of our State be displayed on all public buildings and other suitable places.

(GREAT SEAL) IN TESTIMONY WHEREOF, I have set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover, this nineteenth day of October in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America the one hundred and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 372
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, November 1, 1945 marks the completion of ten years of service by Group Hospital Service, Incorporated, during which time this hospital-sponsored movement has made itself a vital part of the life and health of the State of Delaware, and

WHEREAS, this non-profit community service Plan has attained 107,000 members in Delaware and has paid more than \$1,850,000 for the care of men, women and children in hospitals located in Delaware, and thereby raised the health standards of our State,

NOW, THEREFORE, I, Walter W. Bacon, do hereby designate and proclaim the week of November 11 to November 17, 1945, as

BLUE CROSS WEEK

in the State of Delaware and urge the people of our State to give due recognition to the great humanitarian achievements of the Group Hospital Service, Incorporated.

IN TESTIMONY WHEREOF, I have set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover, this fifth day of November in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America, the one hundred and seventieth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 373

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

On the twenty-second day of December in the year 1620 our Pilgrim Fathers landed on Plymouth Rock. The next autumn they held a feast of thanksgiving. Not only did they feast, but they gave sincere and hearty thanks to God for His care and protection over them.

As we approach the Thanksgiving season this year, the following symposium from the Thanksgiving Proclamations of several of our Presidents is especially fitting—"No people on earth have such abundant cause for thanksgiving as we have. We are thankful to God for liberty, justice, and constitutional government. We are strong in the steadfast conservation of the heritage of self-government bequeathed to us by the wisdom of our fathers. 'Righteousness exalteth a nation' and 'peace on earth, good will towards men' furnish the only foundations upon which can be built the lasting achievements of the human spirit. We shall do well to accept all these favors and bounties with a becoming humility".

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby set apart and proclaim

THURSDAY, THE TWENTY-SECOND DAY OF
NOVEMBER, A. D. 1945 AS A DAY OF
PRAYER AND THANKSGIVING

that the war is over and earth, sea, and sky are safe once more; that the lights have come on again all over the world; and that we are on the road back to peace. In our homes and in our places of worship let us assemble on that day to give thanks to Almighty God for the many blessings and mercies we have received. Let us in our prayers remember the wounded and those who will not

PROCLAMATION

come back, their families, and those who are still in our armed services. Let us pray for a just peace and that we may be as willing to make sacrifices for peace as we have made them for war.

In gratitude to God for the great Republic in which we are privileged to live let the flag of our State and of our Nation be abundantly displayed throughout this Thanksgiving Day.

IN WITNESS WHEREOF, I have set my hand and caused
the Great Seal of the State of Delaware to be
(GREAT SEAL) hereunto affixed at Dover, this thirteenth day of
November in the year of our Lord one thousand
nine hundred and forty-five, and of the Inde-
pendence of the United States of America the
one hundred and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 374

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, on December 7, 1787, Delaware became the first State to ratify the Federal Constitution; and

WHEREAS, this year, for the second time in our history, a world-wide threat to our Constitutional Form of Government has been eliminated by the united and heroic action of our freedom loving people, thus preserving the fundamental law of our Republic;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate Friday, December 7, 1945, as

DELAWARE DAY

and ask the citizens of the State of Delaware to pay tribute to the part Delaware played in the establishment of the basic law of our Nation by her prompt ratification of the Federal Constitution and also pay especial tribute to those who have sacrificed and struggled to preserve this immortal document by pledging themselves anew to maintaining peace and prosperity not only in our own land, but throughout the world. I further suggest that flags of our State and Nation be displayed and that all schools, churches and civic organizations conduct appropriate exercises in commemoration of this date in history.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover this twentieth day of November, in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America, the one hundred and seventieth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 375
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, the term of office of Richard S. Rodney, Associate Judge in the State of Delaware, will expire on January 14, A. D. 1946; and

WHEREAS, the Constitution of the State of Delaware provides that if a vacancy shall occur among the State Judges by expiration of term or otherwise, when the Senate shall not be in session, the Governor shall within thirty days after the happening of any such vacancy convene the Senate for the purpose of confirming his appointment to fill said vacancy.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in and by virtue of such authority vested in me by the aforesaid Constitution of the State of Delaware, do issue this proclamation convening the Senate of the State of Delaware in Extraordinary Session at Dover, the capital of the said State, on the seventeenth day of January, A. D. 1946, at eleven o'clock A. M. (standard time) to consider and act upon the following business, to wit:

To confirm the appointment which will be made to fill the vacancy in the office of Associate Judge in the State of Delaware; and

To transact such other executive business as may come before the Senate of the State of Delaware.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the great seal of the said State to be hereunto affixed this seventh day of January,

PROCLAMATION

(GREAT SEAL) in the year of our Lord, one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 376
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, Pierre S. duPont, Tax Commissioner on behalf of the Tax Department of the State of Delaware, has reported to me a list of corporations which for two years preceding such report have failed to pay the taxes assessed against them and due by them under the laws of this State.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby issue this proclamation according to the provisions of Sections 75 and 76, Chapter 6, of the Revised Statutes of 1915, as amended, and do hereby declare under this act of the Legislature that the charters of the following corporations, reported as aforesaid, are repealed:

A. A. Fieni & Sons, Incorporated, A. E. F. Veterans Association, Inc., A. L. Frommer & Son, Inc., Abington Hills Hunt Club of Scranton, Pennsylvania, Academy Corporation, The, Acco Engineering Company, Ace Motors, Inc., Adanos Corporation, Adele Holding Company, Adjustment Service, Inc., Adkins-Ringler Co., Air Container Company, Aircraft Protective Products Corporation, Alaska Minerals Corporation, Alaska Silver Fox & Fur Farms Company, Alco Manufacturing Co., Inc., Alexander, Becker and Schoeppe, Inc., Allegheny Valley Express Company, Allen E. Rogers Corporation, Allied Oil Corporation, Allied Underwriters, Inc., Alton Apartments, Inc., The, Ambassador Hotel & Investment Corporation, Ameractivitas, Inc., American Bible Conference Association, Inc., American Citizen Publishing Company, American Compressed Steel Corporation of Indiana, American Dirigible Corporation, American Duplex Motors, Inc., American European Chemical Corporation, American Handicraft Council, Inc., The, American Heating Company, American Motohomes of Wilmington, Ltd., American Motorists Association, American Sand Company, Inc., American Ship Plates Corp., American Top & Container Corporation, American Womens Club of Shanghai, American Wood Preservatives, Inc., Amherst Ter-

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race Realty Company, Amicitia Corporation, The, Andover Iron & Zinc Corporation, Angelo Jones, Inc., Angelo Julian Company, Aquaterra Boat Corporation, Arch Lift Shoe, Inc., Armaly's Restaurant, Inc., Ashburn Stock Farms, Incorporated, Assets Holding Company, Associated Contractors, Inc., of Washington, D. C., Associated Gasoline Retailers, Inc., Associated Homes, Inc., Astra Corporation, Atlantic Assets Corporation, Atlas Defense Corp., Atwater Development Corporation, Audiphone Company of Atlanta, Inc., August Stang, Inc., Automobile Club of Delaware, Automobile Racing Club of America, Inc., Automotive Maintenance Association of Delaware, Aviation Corporates of America, Inc., Ayanse Corporation.

B. Oil and Gas Corporation, B. R. Acker Company, Inc., B. & S. Leather Manufacturing Co., Ballard Production Corporation, Baltimore Oceanic Steamship Company, Barcarnil Company, The, Bard-Mann, Inc., Barre Granite Mausoleum and Memorial Co., Inc., Basic Industries, Inc., Bayer Farm Corporation, Beckman Bros. Co., Belmont Laboratories, Inc., Bergstan Patents Corporation, Berry Products Company, The, Beverage Dispensers, Inc., Bible Institute, The, Bilateral League, Inc., Black Bear Gold Mines, Inc., Blackstone, Inc., Bob Rose, Inc., Bolling, Incorporated, Bondsville Corporation, The, Bowden Construction Company, Bowen Anchor & Mfg. Co., Bradbury Development Company, Bradley-Fitch Corporation, Bradley Process Corporation, Brazil Development Corporation, Breck Distilled Products Corporation, Broadfield Metals Corporation, Brotherhood of Electrical Workers of America, Inc., Brotherhood of Trainmen, Brakemen, Porters, Switchmen, Firemen and Railway Employes, Incorporated, Bryan Corporation, The, Builders & Industrial Service Stores, Inc., Builder's Products Corporation, Burbank Realty Company, The, Burrows Motor Company.

C. E. Turner's Conformal Shoes, Inc., C. V. Evans, Inc., C. W. Cain Tailoring Company, Cabrera Publishing Co., Inc., California Gasoline Co., Calvert Hotel Co., Calvert & Rogers, Inc., Camp Passaconaway, Inc., Capital Greyhound Racing Association, Inc., Capitol Beauty Supply and Equipment Company, Inc., The, Capitol Book & Globe Distributors, Incorporated, Capitol Homes Corporation, Carbonic Refrigeration, Inc., Caribbean Man-

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ganese Corporation, Carol Plantations, Incorporated, The, Casray Oil Corporation, Castor-Plunge Park, Inc., Cauras Company, Cavalier and Cooper, Inc., Centennial Cleaners and Dyers, Incorporated, Central Building Co., Central Commonwealth Service Corporation, Central Construction Corp., Central Pennsylvania Oil Company, Centrifugal Casting Corporation, Chain Stores Depot Corporation, Charles Petroleum Corporation, Chemical Patents Company, Inc., Chempats Incorporated, Chicago Crude Petroleum Production Corporation, Chicago Shipyards, Inc., Chinchilla Fur Breeding Corporation, Chromium Corporation of Delaware, Cimarron Oil Corporation, Cine-Mysteries, Inc., City Coach Lines, Inc., Clarence R. Siegel, Inc., Claude Neon Southern Corporation, Coffee and Tea Importing Company, Cogley Oil & Gas Company, Inc., Cohen Auto Salvage Co., Inc., Collapsible Metal Case Corporation of America, Columbia Tariff Bureau Incorporated, Comanche Housing Corporation, Combined Chemical Corporation, Commercial Claim Adjusters, Inc., Commercial Petroleum Corporation, Community Auto Sales Co., Concord Silver-smiths, Ltd., Conerly Press Features, Inc., Congress Heights Development Corp., Consolidated Engineering & Manufacturing Corporation, Consolidated Magnesium Corporation, Container Sales, Inc., Cool Spring Community, Inc., Cordova Press, Inc., The, Cordovado Gold Dredging Co., Corona Manufacturing Company, Cosgrove Coal Company, Inc., Creditors Liquidation & Audit Co., Crockery Den, Inc., The, Crystalcote, Inc.

Dale Chevrolet Company, Daniel Getson Corporation, The, Danvel Heatless Drying Processes, Inc., Datwyler Precision Products, Inc., Dawson Land Company, The, Decatur Corporation, Deemer Beach Corporation, Defco Company, Inc., Defense Building Corporation, Delaire Corporation, Delaware Coca-Cola Bottling Co. Employees Union, Inc., Delaware Dunes Association, Delaware Leather Company, Delaware Loan Co., Delaware Mercantile Company, The, Delaware Mutual Building & Loan Association, The, Delaware Tire and Battery Trade Association, Inc., Delaware Truckers Association, Inc., The, Delaware War Relief Chest, Inc., Delawarean Co., Inc., The, Delmetco, Inc., Detachable Bit Company, Diamond Quality Homes, Inc., Diamond State Hosiery Mill, Inc., Dickensians, Ltd., The, Dinky Pope, Inc., Direct Distributors, Incorporated, Doric Lodge, No. 30, A. F. & A. M.,

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Inc., Doughboy of Allegheny County, Inc., Douglass Loan Company, Dover Stores Company, Drenner Battery Corporation, Drilling, Incorporated, Dunmore Mt. Airy Corporation, Dunmore Mt. Airy, Inc.

E. C. Perry Co., E. N. Lippincott Co., E. R. McCurdy, Inc., Eagle Graphite Corporation, Eagle Pictures Corporation, Eastern Bankers Corporation, Eastern Development Corporation, Eastern Realty, Inc., Eastern Tankers Corporation, Eau Claire Manufacturing Company, Edco, Inc., Eddie Green's Bar-Bee-Q, Inc., Edmonds, Incorporated, Edward Zupnik & Sons, Inc., Edwards Insulation Co., Inc., Ejecto Company, The, Electrolyse Corporation, Electronics Supply Corporation, Emerson Institute, Inc., Empire Investors Corporation, Evans Tailors, Inc., Evansville Refining Company, Inc., Everglades Stable, Inc., Expansible Vehicles, Inc., Express Motion Poster Service, Inc.

F & J Corporation, Fabricated Steel Products Corporation, Fats and Oils Service Company, Feature Artists Corporation, Federal Appraisal Corporation, Federal Bridge Company, Federal Fyr-Ex. Company, Inc., Federal Motor Sales, Inc., Federal Pharmacal Company, Inc., Federal Rubber Reclaiming Corporation, Federal Security and Mortgage Company, Fern Gold Leasing Company, Fiber-Tex Corporation, Fidelity Investment Company, Fikany Adjustable Arch Corporation, First Housing System, Incorporated, Floselle, Inc., Food Fair Inc., of Delaware, The, Foodomat National Inc., Foods, Inc., Foundation Steel Corporation, 4039 La Porte Building Corporation, Foxmeadow Farms, Inc., Frank J. Clarke, Incorporated, Frank J. Hoey Corporation, Franklin Control Company, Franklin Housing Corporation, Frederick Industrial Loan Company, Frederick Investment Company, Freeland Oil Corporation, The, Fwd Co., The.

G. E. B. Corporation, G & G Auto Parts Corporation, Gasoline Retail Dealers Association of Delaware, General Aircraft Products, Inc., General Clay Products Sales Corporation, General Douglas MacArthur National Defense Club, Inc., General Manganese Corporation, George Ehret's Hell Gate Brewery, Inc., Geo. M. Fisher, Inc., George S. Harwick, Inc., Georgetown Corporation, The, Georgetown Realty Company, Gillespie Auto Laun-

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dry System, Inc., Glenelf Corporation, Gold Cup Mining Corporation, Goldenwest Mining Corporation, Good Neighbor Products, Inc., Good Will Motors, Inc., Goodman Concessions, Inc., Goodman Wonder Show, Inc., Goodwin Preserving Company, Grand United Order of Daughters of Samaria, Inc., Grand Oil Burner Corporation, Gratitude, Incorporated, Gray-Burton, Inc., Grocers Service Co., Inc., Guark Electrical Co., Inc., Guernsey Estates, Inc., Guiana Syndicate, Inc., Gulf Alcohol Products Co., Gulf Construction Company, Gulf View Heights Company.

H-E Industrial Service Corporation, H. B. K. Hotel Company, H. L. Davis & Company, H. W. Booker, Incorporated, Haciendas, Inc., Haddock & Healy Housing Corporation, Haddonfield National Corporation, Hanford & Fabian, Inc., Harold, Inc., Harris Construction Co., Inc., Harvey E. Booker, Inc., Haun Pharmacal Corporation, Health Laboratories, Inc., Hebron Poultry Farms, Inc., Hendrix Pinon Company, Inc., Henjes Utilities, Inc., Henry F. Heyer Co., Henry F. Heyer, Incorporated, Herbert C. Heller & Company Incorporated, High Frequency Light Corporation, Holdings, Inc., Hollandale Farms, Inc., Home Builders, Incorporated, Home & Church Organization Service, Inc., Home Improvement Company, Horace Keane Aero (1908) Planes, Inc., House-Hold-Pac Corporation, Hulse Engineering Corporation, Hyatts-ville Finance Company, Hydraulic and Gas Engineering Corporation, Hyland Park Development Company, Inc.

Indoor Display Advertising, Inc., Industrial Service Corporation, Industrial Sugars Corporation, Industrial Supply Co., Inc., Inside Workers of the Wholesale Tobacconists Union, Integrity Corporation, Inter-American Service Corporation, International Radiophone Corporation, International Research Laboratories, Inc., Interstate Construction Co., Inc., Irving Walter Co., Inc., The, Italian American Company.

J. C. F. Holding Corporation, The, J & M Market, Incorporated, James N. Ginns Investment Company, The, Jesse Storck & Sons Investments Inc., John Baizley Iron Works & Engineering Company, The, John J. Gardner Company, John J. Radley Realty Corporation, John Thornton & Co., Inc., Joiner Oil Corporation, Joseph Nugent Incorporated, Joseph Shapiro Co., Inc.

PROCLAMATION

K. and W. Realty Co., Kando Finance & Securities Corporation, Kapsi-Kon Yeast Corporation of Baltimore, Md., Karfoam Corporation, Kent Gas-O-Matic Heater Corporation, Kentucky Tennessee Natural Gas Corporation, Keystone Boys' Camp, Inc., Keystone Steel Car Company, Kibbles, Inc., Kimball Agency, Incorporated.

L. Newstadt and Son Company, L P C Chemical Corporation, L. P. Curlett and Company, La-Wa-Ai Motors Corp., Lakeland Phosphate & Fertilizer Company, Landwehr Heating Corporation, Layton Cold Storage, Incorporated, Leader Mercantile Corporation, Leary, Inc., Lens-Prism Designers, Technicians, Craftsmen, Apprentices, and Miscellaneous Workers Alliance, Inc., Lewiston & Roanoke Corporation, Liberty Bond and Mortgage Company, Inc., Lick Run Coal Company, The, Lincoln Caverns, Inc., Lithograph Products, Inc., Livingston Manor, Inc. No. 1, Livingston Manor, Inc. No. 5, Livingston Manor, Inc., No. 4, Livingston Manor, Inc., No. 3, Livingston Manor, Inc. No. 2, Llewellyn Laboratories, Inc., Lockhart & Co., Ltd., Lockport Brewing Company, London Amusement Co., Looboyle Refining Co., Lucky Strike Dress Shops of Washington, D. C., Inc., Lynchburg Madison Co., Lynn Estates, Inc.

M. R. Company, Inc., Mahopac Oil Corporation, Malatesta and Matassino, Inc., Malone Mining Co., Inc., Managed Investments, Inc., Management, Incorporated, Manganese Development Company Inc., of Delaware, The, Manufactures Engineering Equipment Company, Manufacturers Production Corporation, Maria Santissima del Carmine Italian Catholic Mutual Beneficial Society, Martin Motors, Inc., Marvel Products Company, Maryland Dun Brick, Tile and Flagstone Co., Inc., Maxton, Inc., McHugh Co., Delaware, McLan Corporation, Medway Laboratories, Inc., Mercer Building Company, Inc., Metalcrafts Corporation, Metals Operating Company, Metropolitan Hotel Corporation, Metropolitan Pictures Corporation, Mexican-Pacific Development Company, Incorporated, Mica Corporation of America, Michigan Phonette Corporation, Mid-America Acceptance Corporation, Mid-American Resources, Inc., Midget Market, Inc., Midwest Land Company, Midwest Lawn Seed Co., Milford Mineral Water Products Company, Minerals Mining and Milling Com-

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pany of Nevada, Missouri Technical School Inc., Mobile Homes Corporation, Monogram Company of America, Inc., Monroe Products, Inc., Morris & Cumings Dredging Company, Morris Home Improvement Co., Morris Silverstein Mutual Aid Association, Motor Credit Company, Motors Warehouse Corporation, Munitions Products, Inc., Music and Rhythm Publishing Company, Mutual Funds, Incorporated.

Nan Stewart, Inc., National Automatic Dispensers, Inc., National Automatic Ordnance, Inc., National Cigar Corporation, National Engineering and Construction Co. of Pennsylvania, National Equipment Engineering Corporation, National Home Builders Association, National Insurers, Inc., National Lodge, No. 32, Independent, Order of Odd Fellows of St. Georges, Delaware, National Motorist Association, National Plastics Corporation, National Tool Corporation, National Truck Leasing Corporation, National Utility Battery Company, The, National Vanadium Corporation, Natra Corporation, The, Neal Mining Company, Neerb, Incorporated, Nelson Foundation of America, Inc., Nettor Corporation, New Castle Sand and Gravel Company, Inc., New England Annual Conference of The African Methodist Episcopal Church, Inc., New York Concentrators, Ltd., Newark Air Service, Inc., Nickel Company of Alaska, Inc., Normco, Inc., Norstrand Corporation, North Yuba Mining Company, Northeast Park Realty Company, Northeast Trucking Corporation, Northern Assembly of the United Body Disciples of Christ of the Universe, Inc.

O. D. Corporation, O'Day Burglar Alarm Co., Incorporated, Oakwood Construction Company, Inc., Oil Reduction Corporation, Oklahoma Air Transport Company, Oklahoma Gasoline Company, Omar Refining Company, Outten Realty Company, Overlook Public Service Association, Oxon Park Housing Corp.

Package & Container Corporation, Pan American Continental Corporation, Paradise Cemetery, Inc., The, Paradise Restaurant, Incorporated, Park and Shop, Inc., Peninsular Investment Company, Penn Construction Co., Penn-Georgia Nut and Fruit Company, The, Penna. Lumber & Mining Corporation, Pennsylvania Engineering and Development Co., Peoples Theatre

PROCLAMATION

Company, Philad Company, The, Philadelphia Bond & Share Company, Philately Incorporated, Pine Hill Lime & Stone Company, Plains Petroleum Company, Inc., Plastic Arms Incorporated, Point Breeze Bocce Club, Point Breeze Flying Club, Inc., Pope County Mining Corporation, Porphyry Reserve Copper Co., Premier Guernsey Dairies, Inc., President Apartment Corporation, Primitive Church and Apostles in Jesus Name, Association for all Nations, Incorporated, Progress Manufacturing & Distributing Company of Pittsburgh, Progressive College Foundation, Inc., Property Sales Inc., Prototype Corporation, Public Finance Corporation.

Radiolite Tire & Battery Co., Real Ice Productions, Ltd., Realty Credit Co., The, Refco, Incorporated, Refugees of England, Inc., Reg Reb Company, Reliable Poultry Service, Incorporated, Residence Fire Protection Corporation, Richland Collieries Corporation, River Terrace Corporation, Robin Hood Players, Inc., Robinson-Gibbs Corporation, Roland Works, Incorporated, Rolle Vegetable Juices, Inc., Rosen & Co., Inc., Roto-Beam Corporation of America, Rotomotor Corporation, Roy W. Palmer, Inc., Russalloy, Incorporated, Rust and Todd, Incorporated.

S. L. Crook Corporation, Sacoder Manufacturing Corp., Safety Devices Corporation, St. Ozarkansas University, Inc., Sanders Investment Corporation, Savannah Warehouse and Forwarding Corporation, Savory Appliance, Incorporated, Scherr Poultry Corp., Schooner Philip P. Manta Corp., The, Scialytic Corporation of America, Scott Perry Corp., Selco, Inc., Senator Stewart Gold Mines, Incorporated, 728 Market Street Corporation, Shade Control, Inc., Shep-Roid Incorporated, Shepard Machines Corporation, Shore Feed Service, Inc., Sixteen Hundred Four Delaware Avenue Corporation, 69 Club, Incorporated, The, Slaughter Beach Corporation, Smith & Strevig, Inc., Snappies, Inc., Sociedad Exportadora Interamericana, Inc., Societa' Mutuo Soccorso Di Maria Santissima Della Misericordia, Sound Engineering Company, Inc., Southern Banana Corporation, Southern Bureau Incorporated, Southern Golds, Incorporated, Southern Natural Products Corporation, Southern Rust-Proof Paint Company, Southern Star Mines, Inc., Southernland Corporation, Sport Films, Inc., Springfield Machine & Foundry Co., Inc., Standard Oil and Mining Com-

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pany, Standard Steel Culvert Forms, Inc., State Register Printing Company, The, Steiner Central Meat Market, Inc., Sterling Liquor Company, Inc., Stevens Exploration Company, Inc., Storecast, Inc., Streemlyned Boat Company, Structural Waterproofing, Inc., Structures, Inc., Suburban Acceptance Corporation, Super Combustion Engine Corporation, Supergraph Corporation, Supreme Finance & Loan Company of Dallas, Inc., Surdam & Co., Sure Oil Corporation, Sutherland Merchandising Service, Inc., Swift Air, Inc.

T. B. Cartmell Paint and Glass Company, Tabard, Incorporated, Talko Company, Texas Land Company, Thermek International, Inc., Thirst Quenchers of America, Inc., Thomas Brothers Company, Thomas J. Lannen Associates, Inc., Thomas J. Lawson Co., Three Rivers Securities Corporation, Tireairmeter Corporation, Titusville Steel Co., Inc., Todd Banking Corporation, Town and Country Motors, Inc., Transfluent Drive Corporation, Tri-City Steel, Foundry & Machine Corporation, Truxton Engineering, Incorporated, Tug Gerd H. Henjes, Inc., Tungsten Electrodeposit Corporation, Twin Ports Oil Company Incorporated, 2702 Wisconsin Avenue Corporation.

U. S. Manufacturers' Agent, Inc., Union A. C., Inc., Union Land Company, Union Mortgage Corporation, United Concrete Form Products Co., Inc., United States Aeromotive Corporation, United States Highway Safety Conference, Inc., United States Mining and Milling Corporation, United States Research Corporation, Universal Acceptance Corporation, Universal Art, Inc., Universal Religious Association, Inc., Universal Service Company, Usideas, Inc., Utilities Holding Corporation.

V. Roxor Short, Inc., Van Dusen Aircraft, Inc., Van Dyke Chemical Company, Inc., Vanith Oils, Incorporated, Verus T. Ritter and Associates, Inc., Victor & Shields, Inc., Victory Builders, Inc., Victory Engineers Society, Visulite Container Corporation, Vitamin System, Inc., Vivianna Mining Company.

W. D. LaMont Licensing Corp., Walker & Co., Ltd., Walker & Co. of South America, Ltd., Walsh Industrial Service Corporation, Ward's Hotel Supply Co., Inc., Ware Barge Lines Inc., Warren L. Graham, Inc., Washington Camp No. 12, Patriotic Order

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Sons of America, of the State of Delaware, Incorporated, Washington Extension University, Inc., Washington Industrial Loan Co., Washington National Hobby Show, Inc., Weiby & Johann Company, Wellington Estates, Inc., Wembly Woolens, Inc., West Electric Hair Curler Corporation, West Indies Fruit Products Corporation, West Penn Sand and Gravel Company, Western Ship Terminals, Inc., Weycraft Paper Corporation, Wharton-Dewart Motor Racing Company, Inc., The, Whelan Homes, Inc., Whelan Oil Co., Whiting-Tilson Corporation, Wholesale and Retail Sales-people Union of America, Will Osborne, Incorporated, William Parke, Incorporated, William T. Smithers Class, Incorporated, The, Williams Container Corporation, Wilmerding & Co., Inc., Wilmington Academy of Art, Inc., The, Wilmington City Missionary and Church Extension Society, Wilmington Flying Club, Wilmington Iron Salvage & Reclaiming Co., Wilmington Outdoor Sports, Inc., Wilshire Realty Company, Woerner Iron Company, Woodmoor Realty Company, Inc., Wright's Old Curb Restaurant, Inc.

Yazoo Delta Mortgage Company, Yeager, Inc., Youth Improvement League of America, Inc., Ysleta Mining Corporation.

Zipkin, Inc., Zukor's Inc.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be hereunto affixed this eighteenth day of January, in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventieth.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 377

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the expedition of the New Sweden Company, comprising the two ships, "Kalmar Nyckel" and "Fogel Grip" left Gothenburg, Sweden in November 1637 to establish a colony in the New World and during the latter part of March, 1638 the expedition under the leadership of Peter Minuit landed on the "Rocks" on Christina River within the confines of present Fort Christina State Park in the City of Wilmington; and

WHEREAS, this settlement was not only the first permanent settlement in Delaware but in the whole Delaware River Valley as well, and the seat from which was disseminated the religious, governmental, agricultural, commercial and cultural beliefs and customs of Sweden to the surrounding territory, thus making an important contribution to the development of our Nation; and

WHEREAS, the 107th General Assembly of the State of Delaware by a Resolution approved March 17, 1939, authorized and directed the Governor of the State to proclaim March 29th of each year as "Delaware Swedish Colonial Day"; and

WHEREAS, this year marks the three hundred and eighth anniversary of this settlement and as it is fitting that the recurring anniversary of the first permanent settlement in Delaware be perpetuated by the holding of suitable exercises;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim Friday, March 29, 1946 as

DELAWARE SWEDISH COLONIAL DAY

and do request that proper exercises in observance thereof be held in the schools, churches, patriotic and historical societies and other organizations of our State and that our public officials cause the flag of the United States to be publicly displayed

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throughout the day, and that in addition the National Flag of Sweden be raised also in Fort Christina State Park at or near the monument presented by the People of Sweden to the People of the United States.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal to be hereunto
(GREAT SEAL) affixed this twenty-second day of March, in the
year of our Lord one thousand nine hundred and
forty-six and of the Independence of the United
States of America, the one hundred and seven-
tieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 378
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

The scenic beauty of our State can only be perpetuated by the preservation of our natural landscape values and the conservation of our bird life by stressing the importance of protecting them from various kinds of destruction.

The interest which has been displayed in the past should be retained in regard to creating beauty along our State highways and in the development and beautification of our parks.

It is recognized that one of the most effective means of arousing the public interest in the preservation of our wild flowers, forests, and other natural landscape values, is through the education as provided by our public and private schools and institutions of higher learning.

NOW, THEREFORE, in compliance with the provisions of the laws of this State, I, Walter W. Bacon, Governor of the State of Delaware, do designate and set apart April 12, 1946 as

ARBOR AND BIRD DAY

and request its observance by all public schools, private schools, colleges and other institutions by the planting of trees and the adornment of the school and public grounds, and by suitable exercises, having for their objective the advancement of the study of arbor culture and promotion of the spirit of protection to birds and trees, and the cultivation of an appreciative sentiment concerning them.

PROCLAMATION

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of Delaware to
(GREAT SEAL) be hereunto affixed this eighth day of April in
the year of our Lord one thousand nine hun-
dred and forty-six, and of the Independence of
the United States of America, the one hundred
and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

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STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

The Congress of the United States and the law makers of our own State have established the second Sunday in May of each year as Mothers' Day and it is fitting and proper that this day be reverently observed.

It is especially fitting that we turn our attention to the mothers of the Country at this time, when so many of our sons have returned to their homes after so many months of dangerous activity on foreign fields.

Let us on this day show special reverence to the mothers whose sons have made the supreme sacrifice in defending our Country.

In grateful appreciation let us revere the sacred name and memory of the mothers who, throughout our broad land, have borne the burden of the added strain which the war effort has imposed on the lives of all of them.

NOW, THEREFORE, I, Walter W. Bacon, by virtue of authority vested in me as Governor of Delaware, do hereby designate and proclaim

SUNDAY, MAY 12, 1946

AS

MOTHERS' DAY

in the State of Delaware and call upon all citizens of the State to display the United States flag on all schools and school buildings, at their homes, lodges, churches and places of business and other suitable places as a public expression of love and reverence for the mothers of our State and as an inspiration for better homes and closer ties between them and the State.

PROCLAMATION

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal to be hereunto
(GREAT SEAL) affixed this tenth day of May, in the year of our
Lord one thousand nine hundred and forty-six
and of the Independence of the United States of
America, the one hundred and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 380

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

The status of citizenship has been acquired by many during the past year, some through naturalization, and others by attaining their majority.

These new citizens have not only shared in the fruits of victory over those who had for their prime purpose the suppression of liberty and freedom and domination of the peoples of the world, but they also of necessity have assumed the responsibilities which naturally flow from citizenship and are accountable to posterity for the manner in which those responsibilities are met in the years to follow.

There has never been a time in the history of our Nation when good, solid citizens, interested in the perpetuation of our Republic, were needed more than they are now. For the good of the future of our country, let us hope that not only the new citizens of the past year, but all of our citizens will discharge their duties and responsibilities of citizenship in a manner worthy of Americans.

The President of the United States, in conformity with Federal Law, has proclaimed the third Sunday in May as the seventh "I am an American Day" and urges that our new citizens be appropriately honored on that day.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim and set apart Sunday, May 19, 1946 as

"I AM AN AMERICAN DAY"

and request our citizens, churches, civic and patriotic organizations, to hold appropriate exercises and ceremonies designed to impress upon those who have during the past year become full-

PROCLAMATION

fledged citizens of our Nation, the nature and obligation of their new status, and to create in their hearts and minds the innate desire and determination to carry on the sound traditions of the Republic, and keep "secure the Blessings of Liberty to ourselves and our Posterity".

(GREAT SEAL) IN WITNESS WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed, at Dover, this fourteenth day of May, in the year of our Lord, one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, after years of bitter struggle, we have, with our allies, met and defeated a combination of power that sought to overcome us and change our way of life and government; and

WHEREAS, our thoughts are today centered upon national unity to as great an extent as at any other time in the life of our nation; and

WHEREAS, the period of June 9-16, inclusive has been designated as Flag Week by the United States Flag Association, during which appropriate exercises are to be held to honor our National Emblem as further evidence of the courage, patriotism and loyalty of our American people;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do proclaim the period of June 9-16, 1946 as

FLAG WEEK

and direct the State Superintendent of Public Instruction to arrange for the suitable observance of FLAG WEEK in all the public schools, and further call upon the State officials to display the United States Flag on all State Buildings during Flag Week, and invite the people of the State to fly the Flag at their homes and other suitable places, and in every community to hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions and our determination to uphold and preserve them now and forever.

PROCLAMATION

(GREAT SEAL) IN WITNESS WHEREOF, I, Walter W. Bacon, Governor
of the State of Delaware, have hereunto set my
hand and caused the Great Seal of the said State
to be hereunto affixed, at Dover, this fifth day
of June in the year of our Lord one thousand
nine hundred and forty-six and of the Independ-
ence of the United States of America, the one
hundred and seventieth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 382

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, the State Tax Department of the State of Delaware reported to me on the twenty-fifth day of May, A. D. 1945, a list of corporations that were two years in arrears for taxes, having refused, failed or neglected to pay the taxes assessed against them; and

WHEREAS, the Governor of the State of Delaware did issue his Proclamation on the eighteenth day of January, 1946, proclaiming the "American Women's Club of Shanghai" as having failed, refused or neglected to pay the taxes aforesaid.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim that "American Women's Club of Shanghai", a corporation incorporated under the laws of the State of Delaware December 13, 1923, it having been established to my satisfaction, has not neglected or refused to pay the annual franchise taxes assessed against said corporation and that said corporation was inadvertently reported to me by said State Tax Department as failing, refusing or neglecting to pay said taxes as aforesaid; that pursuant to the authority vested in me by virtue of Section 76 of the Franchise Tax Law of the State of Delaware, to correct such mistake, I hereby make the same known by filing this Proclamation to that effect in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of this State to be hereunto affixed this sixteenth day of August,

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(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

WHEREAS, fire persists as a most formidable and ruinous enemy on the home front and threatens this year to exact the greatest toll of lives and the greatest waste of material resources that our Nation has ever experienced; and

WHEREAS, this destruction is taking place at a time when the entire world is faced with distressing shortages of food and housing and nearly every commodity essential to speedy reconversion to peacetime economy; and

WHEREAS, it is deemed incumbent upon all citizens and duly constituted authorities to participate earnestly and with constant vigilance and precaution in an uncompromising fight against fire and its causes;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate and proclaim the week of October 6th to 12th as

FIRE PREVENTION WEEK

and ask the whole-hearted cooperation of citizens, public authorities, civic bodies, educators, clergymen, the press, and the radio in programs emphasizing the grave menace and costly consequences of uncontrolled fire in the home, in industry, and in business, and the dangers inherent in every fire to the persons of our firemen and others.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the Great Seal of the State of Delaware at Dover, this thirtieth day of September,

PROCLAMATION

(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 384
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

On October 11th of this year we will observe the 167th anniversary of the death of Brigadier General Casimir Pulaski, one of America's truest friends in the struggle for liberty and independence.

The supreme sacrifice was General Pulaski's contribution to our Nation's cause, made at the siege of Savannah. For his devotion to America, his heroic acts on the field of battle, and the life he gave in the fight for our freedom, the people of America remain grateful and pay honor to his memory.

It is therefore eminently proper that we pay tribute to an illustrious friend and patriot, General Pulaski.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the laws of this State, do proclaim Friday, October 11, 1946, as

GENERAL PULASKI'S MEMORIAL DAY

and I urge that all Delawareans do honor to the memory of this great and heroic friend of America by holding and attending appropriate ceremonies in our churches, schools and other groups, and I request that the flag of our country be displayed on all public buildings and other suitable places.

IN TESTIMONY WHEREOF, I have set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover, this seventh day of
(GREAT SEAL) October in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 385
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
PROCLAMATION

The 171st anniversary of the date on which legislation proposing the creation of the American Navy was transmitted to the Continental Congress will be celebrated on October 27th of this year.

The Navy is still our first line of defense. We, as patriotic Americans, should generously pay tribute each year to the officers and men who through the years have added lustre to its fame and laurels to its accomplishments, in peace and in war.

The slogan for this Navy Day—"Your Navy—Victor in War, Guardian in Peace" is expressive of the will of America. We desire only to exercise guardianship over those ideals, traditions and rights which are ours, but if need be, we will fight to protect and defend them.

A Navy adequate for our Nation's defense is essential at all times. Let us as Americans see to it that such a Navy is provided and maintained. To this end let us give support to the plan for a strong Naval Reserve.

The Navy League of the United States, with the approval of the Secretary of War, has designated October 27, 1946 for observance as Navy Day.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim Sunday, October 27, 1946, as

NAVY DAY

and urge all the people of our State to attend and participate in appropriate ceremonies in our churches and other proper places in observance of this day, in tribute to our American Navy. Whenever possible, I also urge participation in the Flower Memorial

PROCLAMATION

Services in honor of all persons who lost their lives at sea in World War II, which will be conducted in connection with the observance of Navy Day this year.

As a further tribute, let the American Flag and our State Flag be flown from all public buildings and all suitable places.

IN TESTIMONY WHEREOF, I have set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover, this seventeenth day of October in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the United States of America the one hundred and seventy-first.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 386

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

The 171st Anniversary of the founding of the United States Marine Corps will be observed throughout our Nation on November 18th this year.

Those noble Americans who on November 10, 1775, created the Marine Corps performed a great service to our Nation. The establishment of this arm of national defense was one more guarantee to the American people that their freedom and liberties would be protected and preserved. The pages of history of the Corps are replete with narratives of courage, devotion and valor of its officers and men. Through the years traditions of the highest character have been established and maintained.

From the beginning, many from our State have served our country in the Marine Corps with honor and distinction. Great pride in these Delawareans and their valiant services in the Corps is the just desert of all of us.

The First State is not only jealous of its prerogatives, privileges and opportunities as one of the States of the Union, but ever has been and ever will be zealous to serve our Nation in times of necessity. In this spirit we Delawareans salute the Marine Corps on its 171st Anniversary, and extend to its officers and men our heartiest felicitations.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby proclaim and set apart Sunday, November 10, 1946, as

MARINE CORPS DAY

and urge appropriate observance of this day in commemoration of the glorious achievements of the Marine Corps, and in honor of the youth of our land who with valor and courage have fought

PROCLAMATION

for and helped to maintain the liberty and freedom of our people. I also request that patriotic exercises be held in our churches, our schools and elsewhere, so that our citizens, and especially our boys and girls, may become more conversant with the traditions of and the national necessity for the Marine Corps. As a further mark of respect, let the flags of our State and our Nation be displayed in proper and suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand,
and affixed the Great Seal of the State of Delaware, at Dover, this fourth day of November,
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 387

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON
GOVERNOR OF THE SAID STATE*To All Persons to whom these Presents shall come, Greeting:*

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State, in the Senate of the United States for the Constitutional term, to commence on the 3rd day of January in the year of our Lord one thousand nine hundred and forty-seven.

AND WHEREAS, The official certificates or returns, of the said Election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Senator were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|------------------------|--------|
| John J. Williams | 42,239 |
| James M. Tunnell | 34,416 |

KENT COUNTY

| | |
|------------------------|-------|
| John J. Williams | 7,910 |
| James M. Tunnell | 6,858 |

SUSSEX COUNTY

| | |
|------------------------|--------|
| John J. Williams | 12,454 |
| James M. Tunnell | 9,636 |

PROCLAMATION

for and helped to maintain the liberty and freedom of our people. I also request that patriotic exercises be held in our churches, our schools and elsewhere, so that our citizens, and especially our boys and girls, may become more conversant with the traditions of and the national necessity for the Marine Corps. As a further mark of respect, let the flags of our State and our Nation be displayed in proper and suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand,
and affixed the Great Seal of the State of Delaware, at Dover, this fourth day of November,
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 387

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON

GOVERNOR OF THE SAID STATE

To All Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State, in the Senate of the United States for the Constitutional term, to commence on the 3rd day of January in the year of our Lord one thousand nine hundred and forty-seven.

AND WHEREAS, The official certificates or returns, of the said Election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Senator were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|------------------------|--------|
| John J. Williams | 42,239 |
| James M. Tunnell | 34,416 |

KENT COUNTY

| | |
|------------------------|-------|
| John J. Williams | 7,910 |
| James M. Tunnell | 6,858 |

SUSSEX COUNTY

| | |
|------------------------|--------|
| John J. Williams | 12,454 |
| James M. Tunnell | 9,636 |

PROCLAMATION

AND WHEREAS, The said returns of the election for the choice of a Senator of and for the said State in the Senate of the United States, as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, the result appears as follows, to wit:

| | |
|---------------------------|--------|
| Whole number of votes for | |
| John J. Williams | 62,603 |

| | |
|---------------------------|--------|
| Whole number of votes for | |
| James M. Tunnell | 50,910 |

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that John J. Williams has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected Senator of and for the State of Delaware in the Senate of the United States for the Constitutional term to commence on the 3rd day of January in the year of our Lord one thousand nine hundred and forty-seven.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the fifteenth day of November
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the said State the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 388

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON

GOVERNOR OF THE SAID STATE

To All Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Representative for the people of the said State, in the EIGHTIETH CONGRESS OF THE UNITED STATES.

AND WHEREAS, The official certificates or returns, of the said Election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Representative were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|-------------------------|--------|
| James Caleb Boggs | 42,728 |
| Philip A. Traynor | 33,285 |

KENT COUNTY

| | |
|-------------------------|-------|
| James Caleb Boggs | 8,231 |
| Philip A. Traynor | 6,478 |

SUSSEX COUNTY

| | |
|-------------------------|--------|
| James Caleb Boggs | 12,557 |
| Philip A. Traynor | 9,342 |

PROCLAMATION

AND WHEREAS, The said returns of the election for the choice of a Senator of and for the said State in the Senate of the United States, as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, the result appears as follows, to wit:

Whole number of votes for
John J. Williams 62,603

Whole number of votes for
James M. Tunnell 50,910

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that John J. Williams has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected Senator of and for the State of Delaware in the Senate of the United States for the Constitutional term to commence on the 3rd day of January in the year of our Lord one thousand nine hundred and forty-seven.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the fifteenth day of November
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the said State the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 388

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON

GOVERNOR OF THE SAID STATE

To All Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Representative for the people of the said State, in the EIGHTIETH CONGRESS OF THE UNITED STATES.

AND WHEREAS, The official certificates or returns, of the said Election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such Representative were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|-------------------------|--------|
| James Caleb Boggs | 42,728 |
| Philip A. Traynor | 33,285 |

KENT COUNTY

| | |
|-------------------------|-------|
| James Caleb Boggs | 8,231 |
| Philip A. Traynor | 6,478 |

SUSSEX COUNTY

| | |
|-------------------------|--------|
| James Caleb Boggs | 12,557 |
| Philip A. Traynor | 9,342 |

PROCLAMATION

AND WHEREAS, The said returns of the election for the choice of a Representative of and for the said State in the Eightieth Congress of the United States, as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Representative, the result appears as follows, to wit:

| | |
|---------------------------|--------|
| Whole number of votes for | |
| James Caleb Boggs | 63,516 |
| Whole number of votes for | |
| Philip A. Traynor | 49,105 |

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that James Caleb Boggs has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Representative of and for the State of Delaware in the Eightieth Congress of the United States.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the fifteenth day of November
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the said State the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 389

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON

GOVERNOR OF THE SAID STATE

To All Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an ATTORNEY GENERAL OF THE STATE OF DELAWARE.

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Attorney General were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|-------------------------|--------|
| Albert W. James | 42,618 |
| Daniel F. Wolcott | 33,179 |

KENT COUNTY

| | |
|-------------------------|-------|
| Albert W. James | 7,689 |
| Daniel F. Wolcott | 7,019 |

SUSSEX COUNTY

| | |
|-------------------------|--------|
| Albert W. James | 12,179 |
| Daniel F. Wolcott | 9,700 |

PROCLAMATION

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Attorney General the result appears as follows, to wit:

Whole number of votes for

Albert W. James 62,486

Whole number of votes for

Daniel F. Wolcott 49,898

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that Albert W. James has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Attorney General of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the fifteenth day of November
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the said State the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 390
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON
GOVERNOR OF THE SAID STATE

To All Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an AUDITOR OF ACCOUNTS OF THE STATE OF DELAWARE.

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Auditor of Accounts were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|------------------------|--------|
| Benjamin I. Shaw | 42,929 |
| Harry P. Jones | 32,643 |

KENT COUNTY

| | |
|------------------------|-------|
| Benjamin I. Shaw | 7,822 |
| Harry P. Jones | 6,843 |

SUSSEX COUNTY

| | |
|------------------------|--------|
| Benjamin I. Shaw | 12,268 |
| Harry P. Jones | 9,577 |

PROCLAMATION

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Auditor of Accounts the result appears as follows, to wit:

Whole number of votes for

Benjamin I. Shaw 63,019

Whole number of votes for

Harry P. Jones 49,063

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that Benjamin I. Shaw has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Auditor of Accounts of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the fifteenth day of November
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the said State the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 391

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON

GOVERNOR OF THE SAID STATE

To All Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of a TREASURER OF THE STATE OF DELAWARE.

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Treasurer were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|---------------------------|--------|
| Benjamin F. Johnson | 42,278 |
| Jesse S. Cooper | 33,437 |

KENT COUNTY

| | |
|---------------------------|-------|
| Benjamin F. Johnson | 7,561 |
| Jesse S. Cooper | 7,140 |

SUSSEX COUNTY

| | |
|---------------------------|--------|
| Benjamin F. Johnson | 12,199 |
| Jesse S. Cooper | 9,670 |

PROCLAMATION

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Treasurer the result appears as follows, to wit:

| | |
|---------------------------|--------|
| Whole number of votes for | |
| Benjamin F. Johnson | 62,038 |

| | |
|---------------------------|--------|
| Whole number of votes for | |
| Jesse S. Cooper | 50,247 |

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that Benjamin F. Johnson has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Treasurer of and for the State of Delaware.

| | |
|--------------|--|
| (GREAT SEAL) | GIVEN UNDER MY HAND and the Great Seal of the said |
| | State, at Dover, the fifteenth day of November |
| | in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the said State the one hundred and seventy-first. |

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 392
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WALTER W. BACON
GOVERNOR OF THE SAID STATE

To All Persons to whom these Presents shall come, Greeting:

WHEREAS, An election was held in the State of Delaware, on Tuesday, the 5th day of November, in the year of our Lord one thousand nine hundred and forty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an INSURANCE COMMISSIONER OF THE STATE OF DELAWARE.

AND WHEREAS, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Insurance Commissioner were cast as follows, to wit:

NEW CASTLE COUNTY

| | |
|------------------------|--------|
| William J. Swain | 42,671 |
| James B. McCabe | 32,831 |

KENT COUNTY

| | |
|------------------------|-------|
| William J. Swain | 7,715 |
| James B. McCabe | 6,899 |

SUSSEX COUNTY

| | |
|------------------------|--------|
| William J. Swain | 11,636 |
| James B. McCabe | 10,230 |

PROCLAMATION

AND WHEREAS, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Insurance Commissioner the result appears as follows, to wit:

Whole number of votes for

William J. Swain 62,022

Whole number of votes for

James B. McCabe 49,960

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby declare that William J. Swain has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Insurance Commissioner of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the fifteenth day of November
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six and of the Independence of the said State the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 393

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

The pilgrim fathers gave thanks unto God for guidance and protection during the turbulent days of that period. They enjoyed life peacefully and could worship God according to the dictates of their conscience. Their fields had yielded plentifully, and poverty and pestilence had been banished from their land.

During the year of 1946, we have been blessed with fruitful fields, peaceful skies, healthy bodies, and new hope for permanent peace and the extension of the principles of human rights. To these bounties numerous others may be added, and for these and many other blessings, it is fitting and proper that we receive all of these gifts with humility and gratitude, and give thanks to Almighty God.

THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby set apart and proclaim Thursday, the 28th day of November, A. D. 1946 as a

DAY OF THANKSGIVING

and urge all people to appropriately observe the day in places of employment, houses of worship, and in their homes which are the cradles of our liberty. Let us inform our children of the significance of the day as we take stock of the graciousness of Almighty God, and recognize our dependence upon Him. Let us accept our blessings with humility and thanksgiving. May they serve to unite us with the rest of the world, and let the flag of our State and nation be displayed as a symbol of gratitude and reverence.

PROCLAMATION

IN WITNESS WHEREOF, I have hereunto set my hand,
and affixed the Great Seal of the State of Delaware, at Dover, this twentieth day of November
(GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

. CHAPTER 394

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, on December 7, 1787 Delaware became the first State to ratify the Federal Constitution; and

WHEREAS, by resolution of the General Assembly of the State of Delaware, approved on the twenty-ninth day of November, A. D. 1933, the Governor is authorized and directed to issue a proclamation calling attention to the importance and significance of this historical event;

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, do hereby designate Saturday, December 7, 1946, as

DELAWARE DAY

and ask the citizens of the State of Delaware to pay tribute to those men and women of Delaware who have contributed to the honor and glory of their State from the early days of the Colony down to the present time. I further suggest that flags of our State and Nation be displayed and that all schools, churches and civic organizations conduct appropriate exercises in commemoration of this date in history.

IN TESTIMONY WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed, at Dover, this second day of December, in the year of our Lord one thousand nine hundred and forty-six, and of the Independence of the United States of America, the one hundred and seventy-first.

(GREAT SEAL)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

CHAPTER 395 .

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, Pierre S. duPont, Tax Commissioner on behalf of the Tax Department of the State of Delaware, has reported to me a list of corporations which for two years preceding such report have failed to pay the taxes assessed against them and due by them under the laws of this State.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware do hereby issue this proclamation according to the provisions of Sections 75 and 76, Chapter 6, of the Revised Statutes of 1915, as amended, and do hereby declare under this act of the Legislature that the charters of the following corporations, reported as aforesaid, are repealed:

A. B. Powell Co., The, A. F. Cervenka Foundation, Inc., A. J. Hart Company, Abacus Corporation, Ace Club, Ace Development Corporation, Acme Oil Company, Acme Specialty Co., Acme Steel Company of Delaware, Adkins Brothers, Inc., Admiral Housing Co., Inc., Adult Service Foundation, Inc., Advance Constructors Inc., Aircraft Hydraulic Appliances Ltd., Ajax Aircraft Corporation, Al-Roy Properties, Inc., Alabama Gardens, Inc., Albert Wulf, Inc., Alef Corporation, Allen-Brash Corporation, Allen Re-forestation Inc., Allied Overseas, Inc., Alpha Lodge No. 25 K. of P., of Delaware, Incorporated, America's Superease-Supersafe Appliance Corporation, American Air Conditioning Co., American Association of Embalming Schools and Colleges, Inc., American Education Finance Corporation, American Legion Building Paris Incorporated, Amstel Corporation, Ancient Order of Hi-bernians Division Number Seven, of the City of Wilmington, Delaware, The, Applegate Amphibious Aircraft Utility Car Company, Inc., Applied Chemicals, Inc., Argentum Laboratories, Inc., Arlington Hotel Company, Arnold Construction Co., Arthur Goodman Company, Incorporated, The, Arts, Incorporated, Asiatic Scrap Metal Corporation, Associated Civil Employers, Inc., Associated Physicians Service of America, Inc., Astor Builders,

PROCLAMATION

Inc., Atep Corporation, Aughinbaugh Canning Company, Auto Parts and Machine Company, Automatic Inventions, Inc., Automotive Redistributing Corporation, Aviation Digest, Incorporated, Aviation Equipment Corporation, Aztec Industries, Inc.

B. C. True Manufacturing Co., Inc.; B M and K Company, Bake-De-Lite, Incorporated, Ball Sanitarium and Health School, Inc., The, Baltimore Package Company, Bank Control Systems, Inc., Barbasco Corporation of Americas, Barbey Company, Inc., The, Basic Materials, Inc., Beatty & Co., Inc., Beknel Corporation, The, Bell's Homeo Laboratories, Inc., Belvedere Mortgage Co., Ben R Ditto & Sons, Incorporated, Bennett Investment Corporation, Bennre Manufacturing Corporation, Benny Bratchet Corporation, Berger Bros., Inc., Black Beauty Coal Co., Inc., Blackbird Ditch Co., Bland Mining Company, Inc., Bob Realty Co., Bolling Heights, Inc., Boron Alloys, Inc., Boston, New York and Southern S. S. Co., Inc., Bowling, Incorporated, Bradley Rescue Mission, Inc., Braiger & Sklar, Inc., Bramco, Inc., Brasota Nurseries, Inc., Brassert-Gersman Company, Brazil Central Railroad Company, Brewster Color Pictures Corporation, Bridgeville Auction Block Incorporated, Brazil Finance Corporation, Brazil Investment Company, Bristol Aeronautical Corporation, Bronstein Hardware Company, Brook Construction Corp., Buzza Company, The, Byrd Steamship Line, Inc.

C. & B. Poultry Company, Inc., C. H. Bagg & Son, Inc., C. M. C. Corporation, C. U. Liggitt, Inc., California Investment Fund, Inc., Calodel Distributors, Inc., Camin, Inc., Canal Construction Company, Cardinal Properties, Inc., Caribbean Corporation, The, Cedar Grove Poultry Farm, Inc., Certified Products, Inc., Cessna-Magruder Company, The, Charle Malone, Inc., Chartiers Restaurant Co., Chemicolor Wood Preserving Co., Chester Pure Silk Hosiery Co., Chicago Grocery, Market and Commissary Drivers Union of Chicago and Vicinity, Local 752, Clar-Oyl Products, Inc., Clar-Oyl Sales Co., Clark Aluminum Corporation, Clephane Associates, Inc., Clerc Chemical Corporation, Clough Manganese Corporation, The, Coastfields Oil Corporation, Colloidal Products Corporation, Colonial Commercial Company, Columbia Royalty Corporation, Commonwealth Realty Company, Community Finance Company of Frederick, Maryland, Companhia Commercial E.

PROCLAMATION

Constructora, Concord Construction Company, Concord Lumber Company, Consolidated Engineers Corp., Inc., Consolidated Lobe Parachute Corporation, Consolidated Pump Corporation, Consolidated Transportation Company, Coordination Consultants, Inc., Coreless Golf Ball Company, Corporation Finance Co., The, Coupler Corporation of America, Cowlitz Investment Company, Creston Hills Housing Corporation, Crown Tavern, Inc., Crucible Electric Steel Corporation, The, Cuban American Importing Co., Inc., Cumberland Lumber Co.

Dagsboro Council, No. 30 Junior Order United American Mechanics, Danita Hosiery Mills, Inc., David Construction Co., David L. Stern Construction Co., Inc., Day Brothers Engineering Co., Inc., De Mund Engineering Co., Inc., De Passy Patents, Inc., Delaware Bottling Co., Delaware Game and Fish Protective Association, Delaware Hudson Steamship Company, Inc., Delaware Shoe Repairing Inc., Delmak Realty Co., Inc., Delphine Manufacturing Corporation, Denny Funeral Home, Inc., Dickbyrne Corporation, Diesel Towing Corporation, Division No. 7 Hall Company, Dominion Electric Power Company, Double Thread Line Hardware Corporation, Double Thread Screw Company Incorporated, Dupont Circle, Inc.

E. D. L. Manufacturing Co., Inc., E. M. Aiken, Inc., Eastern Hide & Fur Co., Eastern Seaboard Construction Corporation, Eastern Seaboard Protective Association, Eastern States Gas and Oil Corporation, Economy Grocery, Inc., Eddie Dowling Pictures Corporation, Edison Poultry Farms, Inc., El Picacho Mining Corporation, Electro-Inhaler Company, The, Eleven Brothers Laboratories, Inc., Elsmere Gardens, Inc., Elvy Concrete Ships Company, Empire Land Company, Esquire Athletic Association, Exclusive Shops, Inc., The.

F. L. Winston & Co., Inc., F. & M. Realty Co., Fairknolls, Inc., Fairmont School, Inc., Farber Supply Company, Fibrekeg, Inc., First National Bankers of America, Inc., Fiscal Fund, Inc., Fitz-Gibbon & Company, Incorporated, Flint Glass Container Corporation, Fort Stevens Pharmacy, Inc., Franklin Air Compressor Corporation, Franklin Transportation Company, Inc., Fua Laboratories, Inc., Furness Building Company, Frank H. Hodgson, Inc.

PROCLAMATION

G & L Company, G. W. Corporation, Gee How Oak Tin Association, General Merchandise Corporation, George P. Cargan, Inc., Glen Development Corporation, Globe Mining & Milling Corporation, Gorin Incorporated, Greek Gospel Mission Inc., The, Green Ridge Coal Sales Company, Green River Development Corporation, Grower to Consumer Association, Incorporated, Guild of Executive, Administrative & Professional employees, Inc., The, Gulf Motor Coach Lines, Inc., Gulf States Steel Company.

H. Feinberg, Incorporated, H. Homer Marsh Laboratory, Inc., H. R. Thomson, Inc., H. S. Claypoole, Inc., Hamilton Machine Company, Hammer Consolidated, Inc., Harbor Tavern, Inc., The, Hayden's Dry Cleaning Works, Inc., Heatomatic Corporation, Heller-Hunter Steel Corporation, Henlopen Hotel Company, Henri & Robert, Inc., Herman Glanding Co., High Tensile Linen, Inc., Highmount Realty Corporation, Highway Engineering & Construction Co., Inc., Highway Engineering & Construction Company, Hill Amusement Company, Hilton Corporation, Hollandia Iron & Steel Co., Home Front, Inc., The, Homengineered Plastic Products Corporation, Homengineered Products Corporation, Horn Realty Company, Hub Industries, Inc., Hudson Plastics, Inc., Hy-Kor Products Company, Inc., Hydraulic Motors, Inc.

I. X. L. Cab Company, Impco Coating Mills, Incorporated, Impervious Paper Container Corporation, Independent Finance Company, Injecta, Incorporated, Inter-American Silk Corporation, International Engineering Co., Inc., International Foods, Incorporated, International Life-Saving Water-Making Cup Corporation, International Reassemble of The Church of Freedom League, Inc., The, Island Realty Company.

J. F. Smith, Incorporated, J. J. White, Inc., Jack H. Meers, Inc., Jackson Marvel, Inc., Jackson Mining Company, James Pryor Coal Co., Jefferson Food Market, Inc., Jefferson Printing Co., Jer-Stan Supply Co., Jerry Realty Co., John A. Grey Corporation, John Deaver Properties, Inc., John J. Weber & Company, John V. Rice, Jr., Corporation.

K and L Oil Company, Katharine Lee Ogilvie, Inc., Keep'Em Flying, Inc., Kitty's Sandwich Shoppe, Inc., Knights of Jerome, The Sons of Nevi, Inc., The, Konjola, Inc.

PROCLAMATION

L. E. Rohlader, Inc., L. & H. Transportation Co., Inc., L. J. Christopher Company, La Mont Licensing, Limited, La Verne Chemical Company, Lackawanna Producing and Refining Co., Lane Oil Company, Lane-Okra Oil Company, Lascose, Inc., Lebanon Steel & Iron Corporation, Lecap Realty Corporation, Leitch Manufacturing Company of Delaware, Inc., Leon Raesly Organization, Inc., Lewes Hosiery Mill Company, Lincoln Fibre & Specialty Co., Lincoln Fuel Company, Incorporated, Lindley C. Kent Company, Lipman Patents Corporation, Lite Products Corporation, Locust Dale Coal Mining Company, Lone Star Hosiery Mills, Inc., Lux Refrigeration Service, Inc.

Macon Oil Company, Madso Holding Company, Maine Automatic Wood Co., Inc., Management Associates, Inc., Manufacturers' Enterprise Corporation, Marana Mines Corporation, Marine Equipment Sales Corporation, Martin-Szekely Manufacturing Corporation, Mastergrip Anchor & Sales Corporation, Mattachine Co., Mayfair Incorporated, The, McClevey Hogenmiller Pacific Company, McKee Soda Bars, Inc., McMahon Corporation, Mechanical Printcraft Club, Inc., Metoloy Corporation, Mexican Sinclair Petroleum Corporation, Miami Steamship Company, Mid-Continent Corp., Midwest City Sewage Disposal Plant Operating Co., Millville Council Number Thirty-Seven Junior Order United American Mechanics, Miracle Manufacturing Corporation, Modern American Homes, Inc., Montgomery Hills Tavern, Incorporated, Morse-Ashland Apartments, Inc., Mountain Clays, Inc.

Nanco, Inc., Nassau and Suffolk Building & Construction Workers Union, National Armor Plate Corporation, National Arms Corporation, National Association for Hospitalization of Negroes, Inc., National Capital Mortgage Company, The, National Demonstration Homes Corporation, National Industries, Inc., National New Deal Democratic Club, Inc., National Soybean Products Co., The, National Steel Recovery and Construction Co., Inc., National Theatres Syndicate of California, Netherland Incorporated, New Castle County Hosiery Workers Association, Inc., New Gas Company, Inc., The, New Jersey Standard Bearer Association, Inc., New York Costume Company, Niagara Abrasive Products Corporation, Non-Metallics & Manufacturing Com-

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pany, The, Norcrete Corporation, Norman Housing Corporation, Northern Coals, Inc.

O. A. Scott Industries, Inc., Oil Ventures Corporation, Oklahoma City Housing Corporation, Old Dutch Oil & Gas Co., Ore Reductions, Inc., Osage Tribe No. 39, Improved Order of Red Men of Wilmington, Delaware, Owl Construction Company, Inc.

Pacific Export Steamship Company, Inc., Palmer Development Corporation, Pan American Film Corporation, Pan-American Plastics, Inc., Penn Coal and Lumber Corporation, Penn Communities Corporation, Pennsylvania Granite Company, Pentecostal Church of America, Inc., Peoples Mortgage Corporation, Peoria Dr. Pepper Bottling Co., Perfect Ashler Lodge No. 25 F. & A. M., Inc., Petroleum, Inc., Philadelphia & Eastern Airlines, Inc., Philadelphia Eye Institute, Inc., Photometric Products Corporation, Piedmont Exploration Company, Pierce & Pierce, Inc., Pine Creek Placers, Inc., Pinya, Inc., Pittsburgh Steel Drum Company, Plastic Shoe Materials, Inc., Plymouth Realty Company, Polin, Inc., Pomeroy Development Corporation, Port Isabel Corporation, Portugal America Corporation, Precision Instrument Corporation, Precitube Corporation, Pryor Housing Corporation, Purple Iris Inn, Inc., Purvis Institute, Inc., The, Pyramid Development Company.

R. I. Jones Machines, Inc., R. L. Taylor Motor Company, Inc., R. T. Brock, Inc., Radial Engines Inc., Rancho San Carlos, Inc., Rayner Sand Testing Tool Corporation, Reba Co., The, Reddir Inc., Regla Importing Corporation, Rehoboth-Indian Beach Club and Development Company, Reliable Loan Service Company, The, Rental Properties, Inc., Reppert Coal Corporation, Republic Stationers, Inc., Rex Construction Company, Inc., Richards Scientific Corporation, Rike Automatic Gastector Co., Ringless Piston Corporation of America, Rioval Petroleum Corporation, Robert Emmett Hunt, Inc., Rockwood Oil Co., Rodgers Production Corp., Rotary Fruit & Steamship Co., Royal Canadian Oil Syndicate, Royal Linoleum Co., Inc., The, Rudnick Live Stock Sales Co., Ruth Cleves Corporation, The.

S. Goldberg Mfg. Co. Inc., S. Saxe Co., Sacred Drama Guild of America, Inc., Sam Chesler, Inc., Sanderson Hotel Operating

PROCLAMATION

Co., Inc., Sans Bois Coal Company, Sao Paulo Northern Railroad Company, Securities Investment Corporation, Security Automatic Heating Service, Inc., Seltzer's Hairdressers Incorporated, Service Center, Inc., Shamokin Hotel Corporation, Shingle Beauty Shoppe, Inc., Shuster & Sons, Inc., Sigma Alpha Gamma Sorority, Inc., Sigwald, Ltd., Silver State Baking Co., Inc., Sixth Ward Republican Club, Small-Mitchell Contractors, Inc., Smith Motors, Inc., Solidifiers, Inc., Sooner Tire & Supply Company, Sorenson Company, The, South American Oil Refineries, Ltd., Southern Ball Clay Company, Southern Construction Co., Inc., Spark-King Corporation, The, Speakman Employees Union, Inc., Spirit of America, Inc., The, Spokesmen, Inc., Star Corporation, Star Syndicate, Story Real Estate Company, Successors to Quarto Syndicate, Inc., Sun Construction Co., Sunshine Astrological Motion Picture Corporation, Superior Dining Car Corporation.

T. and C. Athletic Association, Inc., T-H Enterprises, Inc., T. Joseph Lehan Company, Inc., Tanacre Corporation, The, Tasko Industries, Incorporated, Tax Research and Audit Co., Televolt Corporation, Texas Sales Corporation, The, Theatrical Management, Investment and Exploitation Corporation, Thirst Quenchers of Brooklyn, Inc., Thirst Quenchers of Savannah, Inc., Three Dimensions, Inc., Tid Bits, Inc., Tire Tractor Corporation, Tolland Manufacturing Co., Inc., Townsend Fire Company, Trailerships, Inc., Trainer Corporation, The, Trans-American Pipeline Corporation, Transatlantic Can Corporation, Travel Check Corporation, Tri-Putt Company, The, Triangle Manufacturing Company, Triplex Safety Glass Company of North America, Tuff Oil Products, Inc., Tulsa Rental Properties, Inc., Tunnell Map Company of Delaware, Incorporated, Twentieth Century Builders, Inc., Twentieth Century Home Builders, Inc., 219 Lake Shore Drive, Inc., 201 West Broad Street Corporation.

U and S Mining & Developing Company, U. S. Realty and Development Co., Ulrich Manufacturing Corporation, United Cemeteries, Inc., Unity Gold Production Company, Unity Investment Corporation, Universal Accounting Systems, Inc., Universal Housing & Development Corporation, University of Sulgrave and Federated Colleges Incorporated.

PROCLAMATION

"V" Cutter Corporation, Valley Supply Company, Van Asdlen-Newport, Inc., Van Karner Ordnance Corporation, Victory Mining Corporation.

W. A. Ellis, Inc., W. Miller, Incorporated, Washington Loan Association, Inc., Waubesa Corporation, The, Waupaca Company, Inc., The, Weatherizing Corporation of America, Weekly Events, Inc., Welders, Inc., West Virginia Manganese & Iron Corporation, Western Undertaking Company, White Cloud Gold Mines, Inc., Whitehall Letter, Inc., The, Wilco Agency, Inc., Willard Finance Incorporated, William G. Price Companies, Inc., Wilmington Jobbing Co., Wilmington Laundry Co., Wilson Manufacturing Corporation, Winchester-Summit Corporation, Winston Philip Corporation, Wolpe Realty Corporation, Inc., Wyo-Colo Oil & Gas Corporation.

Young Men's Christian Association of Seaford, Delaware, The, Yourkevitch Ships Designs, Inc., Yuen Loy, Inc.

Zephyr Equipment Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Delaware at Dover, this eighteenth day of January, (GREAT SEAL) in the year of our Lord one thousand nine hundred and forty-seven, and of the Independence of the United States of America, the one hundred and seventy-first.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY, Secretary of State.

STATE OF DELAWARE

DEPARTMENT OF STATE

DOVER

June 30, 1947

In obedience to the provisions and directions of Section 2, Chapter 10 of the Revised Code of Delaware, 1935, as amended, I have collated with and corrected by the original rolls now in the office of the Secretary of State and caused to be published this edition of the Laws of Delaware, passed by the General Assembly, at the regular biennial session commenced on Tuesday, the seventh day of January, A. D. 1947 and ended on Wednesday, the second day of April, A. D. 1947, and approved by the Governor.

Words and sentences marked with asterisks (*) are printed as they appear on the enrolled bills.

WILLIAM J. STOREY

Secretary of State

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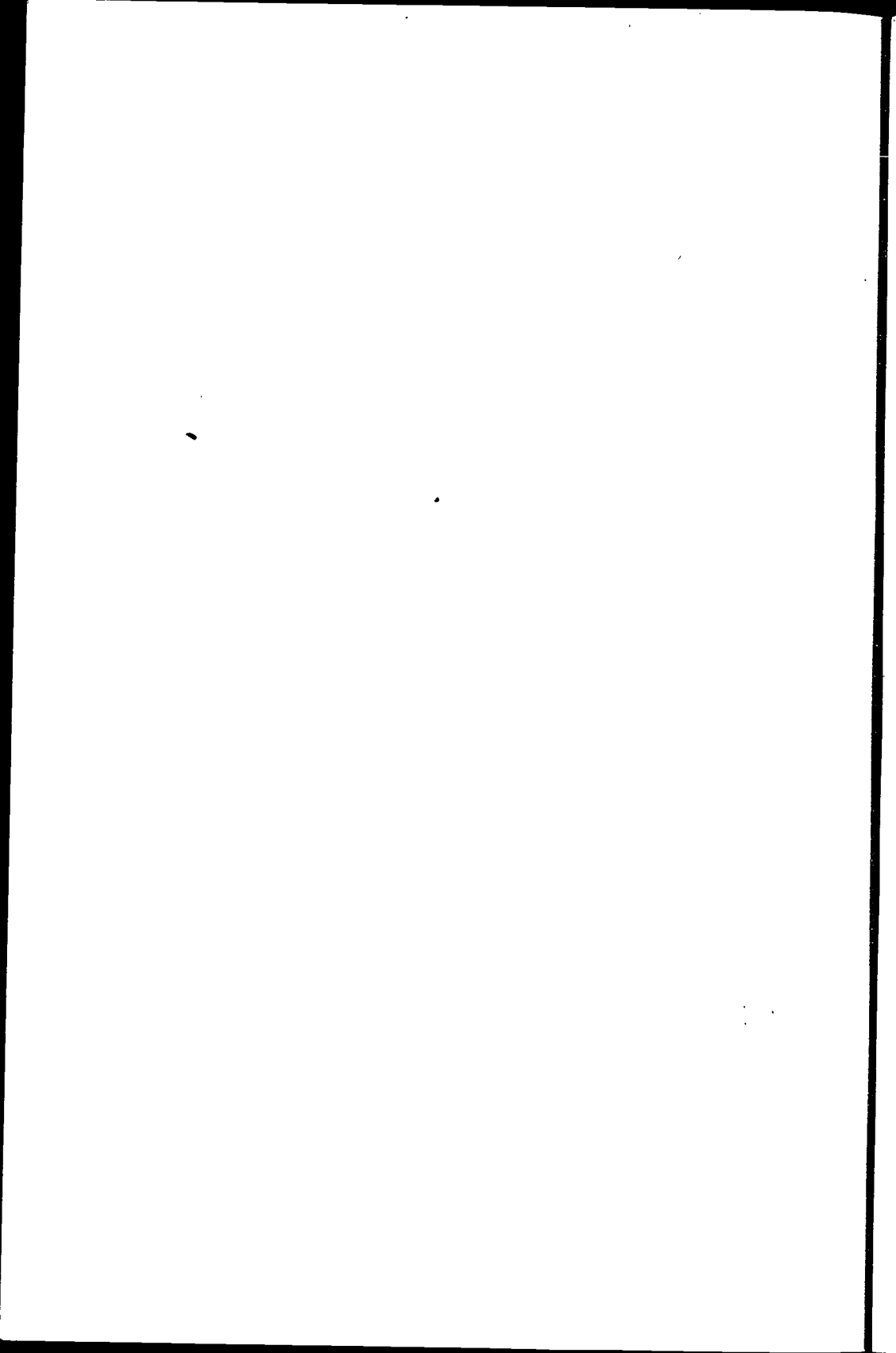
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